

BEXAR COUNTY, TEXAS COMMISSIONERS COURT

NOTICE OF PUBLIC MEETING

The Bexar County Commissioners Court will meet on **Tuesday, July 25, 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: Madi Cooper (Court/Nelson W. Wolff)
2. Pledge of Allegiance: (Court/Nelson W. Wolff)
3. **CEREMONIAL ITEM(S):**
 - a. Presentation of an Hidalgo for Judge David Peeples, Presiding Judge of the Fourth Administrative Judicial Region for his years of service.
(Estimated Presentation Time: 10 minutes) (Kevin A. Wolff)
 - b. Presentation of a Proclamation on behalf of Commissioners Court recognizing and proclaiming October 10, 2017 through October 14, 2017 to be "Peanut Festival Days" in Floresville, Texas celebrating its 73rd Annual Peanut Festival.
(Estimated Presentation Time: 10 minutes) (Court/Nelson W. Wolff)

COMMISSIONERS COURT REGULAR AGENDA

4. **SPECIAL PRESENTATION ITEM(S)**
 - a. Presentation and approval to accept a donation from the Hidalgo Foundation of Bexar County to BiblioTech in the amount of \$200,000 to provide funding for content, programming and equipment.
(Estimated Presentation Time: 10 minutes) (Tracy Wolff)
 - b. Presentation of the 2017 Fleet Excellence Award by NAFA Fleet Management Association to Commissioners Court recognizing Public Works Department for Outstanding Achievements in Public Fleet Management.
(Estimated Presentation Time: 5 minutes) (Renee Green)
 - c. Presentation of the introduction of the interns and departments participating in the 2017 Bexar County High School Summer Internship Program.
(Estimated Presentation Time: 10 minutes) (Jordana Decamps)
5. **TIME CERTAIN ITEM(S):**
 - a. **11:00 a.m.** Presentation, discussion and appropriate action regarding an Intergovernmental Agreement (IGA) between Bexar County and the Bexar County Hospital District (BCHD) for the administration of the Ryan White Program, Planning Council, and other Contracts/Grants with an effective date of August 08, 2017.
(Estimated Presentation Time: 20 minutes) (David Marquez)
 - b. **11:30 a.m.** Presentation, discussion and appropriate action regarding the preliminary selection of projects to be funded with 2017 Community Development Block Grant (\$2,180,749) HOME (\$533,384) and ESG (\$189,629) Program funds for the 2017-2018 Budget Year.
(Estimated Presentation Time: 30 minutes) (David Marquez)

6. Request of Commissioners Court to identify items from the Consent Agenda for additional discussion and to approve remaining Consent Agenda items.
7. Approval of Commissioners Court minutes for July 11, 2017.
8. 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)

9. Approval of a request by Judge Nelson W. Wolff to appoint Dr. Linda Kerrigan Salvucci to the Historical Commission to serve a 2 year term that begins upon appointment and expire on July 31, 2019.
10. Approval of a request by Commissioner Sergio "Chico" Rodriguez, Precinct 1, to reappoint the following appointees to the Historical Commission: Mickey Killian, Corky Rubio and Francine Rowdenez to begin upon appointment and expire January 31, 2019.
11. Approval of a request from Commissioner Tommy Calvert, Precinct 4, to appoint Donnie Whited to the Child Welfare Board to fill a vacant position for a 3 year term to begin upon appointment and expire on July 31, 2020.
12. Approval of a request from Commissioner Tommy Calvert, Precinct 4, to appoint Grace Rose Gonzales to fill a vacancy and reappoint Crystal Darby and Margaret Anaglia on the Small, Minority and Women-Owned Business Enterprise Program (SMWBE) Advisory Committee for a term to begin upon appointment and expire July 31, 2019.

Item(s) Brought by Sheriff's Office:

(Javier Salazar)

13. Authorizing the Bexar County Auditor to pay invoice(s) from the Bexar County Sheriff's Office Fiscal Year 2017 invoice(s) in the amount of \$603 for services.
14. Approval of a request from the Bexar County Sheriff's Office to hire retiree Deputy Alejandro Sanchez as a full time law enforcement officer at the courthouse at the monthly salary of \$3,896 and a yearly salary of \$46,752 to be effective July 26, 2017.

Item(s) Brought by County Auditor:

(Susan Yeatts)

15. Authorization and approval for the County Auditor to pay routine bills from Monday, July 24, 2017 through Friday, August 4, 2017.
16. Authorization to distribute upcoming payroll, to include overtime, uniform allowances, and auto allowances to be paid on Monday, July 31, 2017.
17. Approval of bills to include claims registers for Wednesday, July 12, 2017; Friday, July 14, 2017; Wednesday, July 19, 2017; and Friday, July 21, 2017.

18. Request approval according to Section 31.11 for \$152,330.64 in refunds for payments received by the Tax Assessor-Collector's Office in the form of tax overpayments made on 19 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.

Item(s) Brought by Tax Assessor-Collector:

(Albert Uresti)

19. Approval of a request for the waiver of penalty and interest, for the Bexar County taxing jurisdiction, in the amount of \$663.48 on account #00000-112-0253, Jonathan Carlson, tax year(s) 2016 in accordance with Section 33.011 of the Texas Property Tax Code.

Items(s) Brought by Purchasing:

(Mary Quinones)

20. Authorizing the renewal of a service contract with First Memorial Park Cemetery for Burial Services for the Pauper Burial Program for a one-year period in the estimated annual amount of \$111,750; authorizing the Purchasing Agent to execute and file the appropriate award documents for record.
21. Authorizing the Purchasing Agent to declare surplus and auction fourteen (14) vehicles in accordance with the attached Vehicle Equipment List as requested by the Public Works Office in accordance with Local Government Code 263.152. (A)(1)(C)(6) and remove from inventory records.
22. Award a delivery order to Executive Information Services, Inc. for the purchase of additional Statistical Analysis System (SAS) modules and supporting services at \$420,000, as requested by the Information Technology Department through a State of Texas Department of Information Resources (DIR) contract DIR-TSO-2521; and authorizing the Purchasing Agent to execute contract and file appropriate award documents for the record.

Item(s) Brought by Economic and Community Development:

(David Marquez)

23. Approval of the reprogramming of 2009, 2011, and 2012 HOME Investment Partnership Program (HOME) funds in the amount of \$124,018.43 from unused project funds listed below.

FROM:	TO:	TOTAL:
Bexar County Tenant Based Rental Assistance 2009,2011,2012	Habitat for Humanity Lenwood Heights Project	\$124,018.43

24. Approval of the reprogramming of HOME Investment Partnership Program funds in the amount of \$225,000 from unused project funds listed below.

FROM:	TO:	TOTAL:
Franklin Development – Artisan at Judson (\$100,000); HABC –Tenant Based Rental Assistance (\$125,000)	Habitat for Humanity Lenwood Heights Single Family Housing	\$225,000.00

25. Approval of the reprogramming of Emergency Solutions Grant funds in the amount of \$95,407 from unused project funds listed below.

FROM:	TO:	TOTAL:
Alpha Home Recovery Support	St. Vincent De Paul – Homeless Prevention Program	\$95,407.00

Item(s) Brought by Public Works:

(Renee Green)

26. Approval of the continued collection of the County Road and Bridge fee in the amount of \$10.00; the Child Safety Fee in the amount of \$1.50; and the County Project Transportation Fee in the amount of \$10.00 for a total of \$21.50 for each vehicle registered in Bexar County for registration year 2018 as provided under Section 502.401, 502.402, and 502.403 of the Texas Transportation Code.
27. Approval of CPS Gas Field Alteration Request Number 1 between Bexar County and Texas Sterling, requesting to increase contract amount by \$34,576 in connection with Public Works Capital Project, Borgfeld Drive Phase II Project and at no cost to the County. Precinct Number 3.
28. Approval of subdivision plat#160481 within the Extra Territorial Jurisdiction of the City of San Antonio: Alamo Ranch Unit 52B-1 Enclave, owner: Pulte Homes of Texas, L.P., located northeast of Alamo Parkway and Cottonwood Way, not within the Edwards Aquifer Recharge Zone. Precinct Number 1.
29. Approval of subdivision plat#160499 within the Extra Territorial Jurisdiction of the City of San Antonio: Arcadia Ridge Phase 1 Unit 3B, owner: CTMGT Rancho del Lago, LLC, located northeast of Arcadia Path and Brick Lane, not within the Edwards Aquifer Recharge Zone. Precinct Number 1.
30. Approval of subdivision plat#160612 within the Extra Territorial Jurisdiction of the City of San Antonio: Olson Detention Pond, owner: Milestone Potranco Development, LTD, located northeast of Hwy. US 90 and Grosenbacher Road, not within the Edwards Aquifer Recharge Zone. Precinct Number 1.
31. Approval of subdivision plat#160436 within the Extra Territorial Jurisdiction of the City of San Antonio: Cantera Hills Unit 1, owner: Cantera Hills Unit 1, LTD, located northwest of Scenic Loop Road and Babcock Road, not within the Edwards Aquifer Recharge Zone. Precinct Number 3.
32. Approval of a variance request to Article 4, Section D(5)(d) of the Bexar County Flood Damage Prevention Court Order for Heathers Estates development. Precinct No. 4.
33. Amend Order approved by Commissioners Court on April 19, 2016, correcting street linear footage for Saddle Spur from 3,126.81 to 3,389.16 and eliminating street name Saddle Run, for Saddle Creek Estates, Plat# 130143 in Precinct Number 1.
34. Approval to close, vacate and abandon a 0.25 acre tract of land being excess right-of-way, said right-of-way is a portion of Sendera Street at Misty Water Lane, further being located between Lot 3, Block 15, and Lot 4, Block 18, Timberwood Park Subdivision, Unit 3, as shown in Volume 8700, Page 37 of the Deed and Plat Records of Bexar County, Texas, in northeast Bexar County, being conveyed to the abutting property owner Kimberly D. Cortez and George A. Cortez Jr., in accordance with Transportation Code Sections 251.058(b). Precinct 3.
35. Authorizing the sale of property struck off to Bexar County for delinquent taxes known as cause number 2010-TA1-01083; account number 066850000010; New City Block 6685, Lots 1 and 2, Zarzamora Place Addition in the City of San Antonio, Bexar County, Texas, as shown in Volume 03360, Page 0529 of the Deed and Plat Records of Bexar County, Texas; located at 1952 W. Laurel for \$27,176.44 (the total amount of judgments against the property) to Juanita P. Gomez, pursuant to Section 34.05(h) of the Texas Tax Code and authorizing the execution of deed. Precinct Number 2.

36. Approval to establish Traffic Control devices as Stop Zones at specified locations in Precinct Number 2.

STOP ZONES TO BE ESTABLISHED:

Precinct Number 2

Remuda Ranch North Subdivision Unit 9 Plat #160429

The Stop Sign shall be on Monument Parke at its intersection with High Branch. (1 stop)

Item(s) Brought by Office of Emergency Management:

(Kyle Coleman)

37. Approval to adopt an Order restricting outdoor burning effective July 25, 2017 for a 90-day period, unless terminated earlier by Commissioners Court or the Fire Marshal.

Item(s) Brought by Facilities Management:

(Dan Curry)

38. Authorizing the County Judge to execute a Professional Services Agreement between Bexar County and Lopez Salas Architects, Inc. (DBE, SBE, MBE) in the amount of \$295,500 to provide Bexar County with professional architectural and engineering services for the design of the new Justice of Peace 3 located at 320 Interpark Blvd, San Antonio TX, 78216.
39. Approval of a purchase order to Limitless Construction Services, LLC (AABE, ESBE, MBE, SBE) for emergency restoration services in the amount of \$111,765.57 related to the Adult Detention Center water leak, and the appropriate budgetary transfer.
40. Approval of the First Amendment to the Architectural Services Agreement between Bexar County and LPA, for additional services in an amount not to exceed \$29,400 in relation to the ADC Administration Building Project for revisions to the staff parking lot and fencing as it relates to the new South Tower Intake Center, and interior modifications to meet the needs of the current Sheriff's Administration.
41. Approval of the First Amendment to the Architectural Services Agreement between Bexar County and HOK, for additional services in an amount not to exceed \$178,500 in relation to the ADC Women's Annex Renovation Project for the redesign of the Special Housing Unit, Laundry, and Women's Annex in order to reduce estimated construction costs.
42. Approval of the First Amendment to the Architectural Services Agreement between Bexar County and DRG Architects, for additional services in an amount not to exceed \$312,200 in relation to the ADC Annex Project for extended construction monitoring, design and coordination assistance with TCJS for a County CMAG located on the first floor of the new South Unit.
43. Approval of the First Amendment to the Architectural Services Agreement between Bexar County and Chesney Morales Partners, for additional services in an amount not to exceed \$44,930 in relation to the ADC Work Release Project to redesign the interior improvements in order to reduce the total square footage being constructed and the associated construction costs; and allow for future flexibility in adding additional dormitory space.

INDIVIDUAL AGENDA ITEMS:

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

Item(s) Brought by Economic and Community Development:

(David Marquez)

44. Discussion and appropriate action regarding the approval of a Grant Agreement with Tech Bloc in an amount not to exceed \$180,000 for the creation of a Chief Talent Officer including the creation of a Tech District website and appropriate budgetary transfer.
(Estimated Presentation Time: 10 minutes) (David Marquez)

Item(s) Brought by Elections:

(Jacque Callanen)

45. Discussion and appropriate action on the bi-annual appointment of election judges for the period of July 31, 2017 thru July 30, 2019 as presented with the approval of additions and subtractions made to the list during the appointment term.
(Estimated Presentation Time: 10 minutes) (Jacque Callanen)

Item(s) Brought by Judicial Services:

(Mike Lozito)

46. Discussion and appropriate action regarding a submission of an electronic grant application to the Office of Minority Health of the U.S. Department of Health and Human Services (HHS) for the “Empowered Communities for a Healthier Nation Initiative” for the Bexar County Opioid Intervention Program in the amount of \$350,000 with no local matching requirement, and acceptance of funds if awarded. The term of the grant is from October 1, 2017 through September 30, 2020.
(Estimated Presentation Time: 10 minutes) (Mike Lozito)
47. Presentation, discussion and appropriate action concerning the Third Quarterly Fiscal Year 2016-17 Judicial Management Report on District Attorney, Criminal District Courts, Criminal County Court at Law, Justice of the Peace, Specialty Courts and Central Magistration, to include progress for the Jail Impact Court and jail population trends.
(Estimated Presentation Time: 20 minutes) (Mike Lozito)

Item(s) Brought by: Public Defender’s Office

(Michael Young)

48. Discussion and appropriate action regarding a status report on the progress towards the reorganization and expansion of the Bexar County Public Defender’s Office.
(Estimated Presentation Time: 15 minutes) (Michael Young)

Item(s) Brought by Resource Management:

(Tina Smith-Dean)

49. Discussion and appropriate action regarding recommendations from the Citizens Advisory Committee on Elected Officials’ Salaries and Allowances for Fiscal Year 2017-2018 and the Elected Official Salary Grievance process.
(Estimated Presentation Time: 15 minutes) (Janet Guadarrama)

Item(s) Brought by County Auditor:

(Susan Yeatts)

50. 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 June 2017. Notification of payment to those employees who have accumulated hours in excess of the FLSA maximum level for an estimated amount of \$33,538 and approval of the appropriate budget transfer.
(Estimated Presentation Time: 5 minutes) (Susan Yeatts)

Item(s) Brought by Facilities Management:

(Dan Curry)

51. Discussion and appropriate action regarding approval of two contract amendments related to the ADC Annex Project and approval of the appropriate budgetary transfer.
- a. Approval of the First Amendment to the CMAR agreement between Bexar County and Turner Construction, increasing the value of the Project Cost Limitation in an amount not to exceed \$6,666,000, in relation to the ADC Annex Project.
 - b. Approval of the Second Amendment to the CMAR agreement between Bexar County and Turner Construction, increasing their GMP amount to \$19,032,433, for construction related services, in relation to the ADC Annex Project.
- (Estimated Presentation Time: 20 minutes) (Dan Curry)

Item(s) Brought by County Manager:

(David Smith)

52. 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; and
 - b. Approval of the Pre-Qualified List of Artists for the San Pedro Creek Art Program.
- (Estimated Presentation Time: 30 minutes) (Tony Canez/Suzanne Scott)

Item(s) Brought by District Attorney:

(Nicholas "Nico" LaHood)

53. Discussion and appropriate action regarding a settlement offer in the following litigation: Kelly M. Cross, Presiding Judge Bexar County Statutory Probate Court No. 1 v. Bexar County Commissioners Court, et al.
(Estimated Presentation Time: 5 minutes) (Ed Schweningen)
54. Discussion and appropriate action regarding a settlement offer in the following litigation: Hasenbeck and Collins v. Bexar County.
(Estimated Presentation Time: 5 minutes) (Ed Schweningen)

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.

55. **§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. Hasenbeck and Collins v Bexar County.

 - 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 July 21, 2017 at 4:45 pm