

BEXAR COUNTY, TEXAS COMMISSIONERS COURT

NOTICE OF PUBLIC MEETING

The Bexar County Commissioners Court will meet on **Tuesday, August 8, 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: Stephanie Schacht, Economic Development (Court/Sergio “Chico” Rodriguez)
2. Pledge of Allegiance: (Court/Sergio “Chico” Rodriguez)
3. **CEREMONIAL ITEM(S):**
 - a. Presentation of a Hidalgo Award to Paul Ringenbach for his service on the Bexar County Historical Commission.
(Estimated Presentation Time: 10 minutes) (Court/Nelson W. Wolff)
 - b. Presentation of a Proclamation on behalf of Commissioners Court recognizing Bexar County’s National Ambassadors for the “Do the Write Thing” Violence Prevention Program, a part of the National Campaign to Stop Violence.
(Estimated Presentation Time: 10 minutes) (Court/Nelson W. Wolff)

COMMISSIONERS COURT REGULAR AGENDA

4. **TIME CERTAIN ITEM(S):**
 - a. **11:00 a.m.** Discussion and appropriate action regarding a resolution approving and authorizing publication of a notice of intention to issue certificates of obligation for the benefit of the Bexar County Hospital District; and Resolving other matters in connection therewith.
(Estimated Presentation Time: 20 minutes) (George Hernandez)
5. Request of Commissioners Court to identify items from the Consent Agenda for additional discussion and to approve remaining Consent Agenda items.
6. Filing for record the following legal and administrative documents and directing the Criminal District Attorney’s Office to take action, if necessary:
 - a. Interlocal Agreement for Bexar County Participation in Converse Moving Forward Tax Increment Reinvestment Zone Number One, City of Converse, Texas; approved June 6, 2017.
 - b. Retainer Agreement with MALDEF as approved by the District Attorney for representation of Bexar County in litigation challenging the constitutionality of SB4; approved June 20, 2017.
 - c. Notice of Citation Directed to Bexar County by Serving the Bexar County Clerk Gerald C. Rickhoff – Re: Wendy Cummings vs. Bexar County Texas et al.
 - d. Notice of claim from the Office Travis Ketner, Attorney at Law, regarding an incident occurring near the Mission Espada-Camino Coahuilteca area on the south end of Mission Reach.
 - e. Letter from Brandon T. Cook from the Office of Gunn, Lee & Cave, P.C. regarding David Lozano – Copyrighted Bubble Glass Mosaic Design.

7. Approval of Commissioners Court minutes for July 25, 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 from Commissioner Sergio “Chico” Rodriguez, Precinct 1, to appoint Carlo Enrique Gutierrez to the Westside 211 Special Improvement District board of directors for a term that begins upon appointment and expires on June 1, 2018 to fill the unexpired term of Selina Gutierrez.
10. Approval of a request from Commissioner Sergio “Chico” Rodriguez, Precinct 1, to appoint Harold Frank Galm, Jr. to the Westside 211 Special Improvement District board of directors for a term that begins upon appointment and expires on June 1, 2019 to fill the expired term of Gil Perez.
11. Approval of a request by Commissioner Sergio “Chico” Rodriguez, Precinct 1, to appoint Becky Schneider to the Emergency Services District No. 5 Board of Commissioners vacated by Dr. Dennis Scholl effective upon appointment and set to expire on December 31, 2018.
12. Approval of a request from Commissioner Paul Elizondo, Precinct 2, to appoint Francis Galan to the Bexar County Historical Commission to serve a term that starts with approval and to expire January 31, 2019.
13. Approval of a request from Commissioner Kevin A. Wolff, Precinct 3, to appoint Laura L. Parker to replace Charles S. (Sam) Bowker to the Center for Health Care Services Board of Directors to serve a term to begin upon appointment and expire on July 7, 2019.

Item(s) Brought by County Auditor:

(Susan Yeatts)

14. Authorization and approval for the County Auditor to pay routine bills from Monday, August 7, 2017 through Friday, August 18, 2017.
15. Authorization to distribute upcoming payroll, to include overtime, uniform allowances, and auto allowances to be paid on Tuesday, August 15, 2017.
16. Approval of bills to include claims registers for Wednesday, July 26, 2017; Friday, July 28, 2017; Wednesday, August 2, 2017; and Friday, August 4, 2017.
17. Request approval according to Section 31.11 for \$36,445.55 in refunds for payments received by the Tax Assessor-Collector’s Office in the form of tax overpayments made on 7 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)

18. Approval of a request for the waiver of penalty and interest, for the Bexar County taxing jurisdiction, in the amount of \$73.14 on account #34400-110-0160, Daniel De Leon, tax year(s) 2016 in accordance with Section 33.011 of the Texas Property Tax Code.

19. Approval of a request for the waiver of penalty and interest, for the Bexar County taxing jurisdiction, in the amount of \$331.35 on account #18204-004-0560, Kelly Weiss, tax year(s) 2016 in accordance with Section 33.011 of the Texas Property Tax Code.

Item(s) Brought by Civil District Court Administration:

(Peter Sakai)

20. Approval of an amendment to the professional services contract between Bexar County and Family Service Association of San Antonio, Inc. in the amount of \$51,390 for the time period of January 1, 2017 through September 30, 2017, with expenditures being paid from monies received by County from the Texas Department of Family and Protective Services through a contract entitled Interlocal Cooperative Contract Texas Department of Family and Protective Services Contract No. 24358716.
21. Approval of an amendment to the professional services contract between Bexar County and Alpha Home, Inc., in the amount of \$23,760 for the time period of February 1, 2017 through September 30, 2017, adding additional residential substance abuse services and outpatient substance abuse services and providing for payment of those services for participants in the Children's Court Family Drug Court Program.

Items(s) Brought by Purchasing:

(Marv Quinones)

22. Awarding a contract to SAECO Electric & Utility, LTD (SBE) for construction services for the Boerne Stage Road and Cross Mountain Trail Traffic Signal Project, in Precinct 3, in the amount of \$125,763.02 as requested by the Public Works Department; and authorizing the Purchasing Agent to execute and file the appropriate award documents for record.
23. Awarding a delivery order to Park Place Recreation Designs for the purchase of construction services of Fall Zone Material, ADA upgrades and Playground Equipment at MacArthur Park in the amount of \$115,484, as requested by the Heritage Department through a BuyBoard #512-16 cooperative contract; and authorizing the Purchasing Agent to execute and file the appropriate award documents for record.
24. Awarding a contract to the lowest and best qualified bid submitted by The Levy Company, L.P. (SMWBE) to provide for the purchase of construction services for the Binz-Engleman Road Sidewalk Extension and Traffic Signal Project, in the amount of \$272,711.20, as requested by the Public Works Department; and authorizing the Purchasing Agent to execute and file the appropriate award documents for the record.
25. Granting a discretionary exemption to the competitive bidding requirement to award a contract on a sole source basis to RHTX, LLC. for the purchase and replacement of broken institutional dormitory furniture in the amount of \$75,526.79, as requested by the Juvenile Probation Department; and authorizing the Purchasing Agent to execute and file the appropriate award documents for the record.
26. Authorizing the removal and sale of 3 surplus firearm weapons to retired Bexar County Sheriff's Deputy Frank Rust, Deputy Merced J. Leyva and Deputy Emil G. Rodriguez in the amount of \$414 each, 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.
27. Ratification of an emergency delivery order to SpawGlass Building Services for the purchase of construction services to repair disconnected kitchen drain lines in the crawl space of the Adult Detention Center in the amount of \$78,151.13, as requested by the Facilities Management Department through a BuyBoard #464-14 cooperative contract; and authorizing the Purchasing Agent to execute and file the appropriate award documents for record.

Item(s) Brought by Economic and Community Development:

(David Marquez)

28. Approval and execution of a Payment in Lieu of Taxes Agreement between Bexar County and DPT Laboratories, Ltd., in connection with an application of a Foreign-Trade Zone site within FTZ #80 for a facility at 3300 Research Plaza, San Antonio, Texas 78235, 307 E. Josephine Street and I35 E Grayson Street, San Antonio, Texas 78215 and to issue a letter of non-objection.

Item(s) Brought by Public Works:

(Renee Green)

29. Approval of CPS Field Alteration Request Number 3 between Bexar County and Sterling Construction Company Inc., requesting to increase contract amount by \$18,544.05 in connection with the FM 1957 (Potranco Rd) Pass Through Project, to be paid by CPS Energy at no cost to the County. Precinct Number 1.
30. Approval of Roadway Field Alteration Request Number 2 between Bexar County and Texas Sterling Construction, requesting to increase the contract amount by \$15,591.74 in connection with the Public Works Capital Project, Glen Mont Dr. (MPO) Reconstruction Project. Precinct Number 4.
31. Approval to execute a Field Alteration Request for Final Recapitulation of project costs between Bexar County and San Antonio Constructors, Ltd. (SMWBE), in connection with Flood Control Capital Project, Mid-Beitel Channel Restoration Repairs, SC5, Purchase Order No. 3908896. The recapitulation shows an increase in the amount of \$19,775 for a final construction amount of \$319,211.98. Precinct Number 4.
32. Approval of Field Alteration Request Number 1 between Bexar County and Yantis Company, requesting to increase the contract amount by \$60,736.38, in connection with Flood Control Capital Project, Medio Creek –Sunset Vista Subdivision Drainage Improvements Project, MR32, Purchase Order No. 11578233, Precinct Number 1.
33. Approval of Final Recapitulation of project costs between Bexar County and EZ Bel Construction, LLC, (SMWBE) in connection with the Alamo Ranch Traffic Signals Traffic Signal Project. The recapitulation shows an increase of \$32,250.22. The Recapitulation shows a final construction amount of \$865,344.76. Precinct Number 1.
34. Approval of Final Recapitulation of project costs between Bexar County and EZ Bel Construction, LLC, (SMWBE) in connection with the Public Works Capital Project, Westwood Loop Traffic Signal. Precinct Number 1. The recapitulation shows an increase of \$3,788.98. The Recapitulation shows a final construction amount of \$436,662.53. Precinct Number 1.
35. Approval of subdivision plat#170036 within the Extra Territorial Jurisdiction of the City of San Antonio: Hunters Ranch Unit 3, owner: Texas Research and Technology Foundation, located west of Lambda Drive and Omicron Drive, not within the Edwards Aquifer Recharge Zone. Precinct Number 1.
36. Approval of subdivision plat#170255 within the Extra Territorial Jurisdiction of the City of San Antonio: Abiso Alamo Ranch, owner: Abiso Alamo Ranch, L.P., located northwest of Alamo Ranch Parkway and Lone Star Parkway, not within the Edwards Aquifer Recharge Zone. Precinct Number 1.

37. Authorizing the purchase of two (2) Permanent Drainage Easements, one tract being 0.855 of one acre of land and the second tract being 0.576 of one acre of land, both tracts being out of New City Block (N.C.B.) 14614, San Antonio, Bexar County, Texas and being out of Tract 1, called 48.80 acres of land conveyed to Apartment REIT Hidden Lakes, LP, described in Volume 12620, Page 2129, Official Public Records of Real Property, Bexar County, Texas, also being out of the Perry Davis Survey No. 267, Abstract No. 189, County Block (C.B.) 4528 and the purchase of two (2) 5-foot strips of land both being 0.028 of one acre of land, by Warranty Deed, both strips of land being out of New City Block (N.C.B.) 14614, San Antonio, Bexar County, Texas, both strips being out of Tract 1, called 48.80 acres of land conveyed to Apartment REIT Hidden Lakes, LP, described in Volume 12620, Page 2129, Official Public Records of Real Property, Bexar County, Texas, also being out of the Perry Davis Survey No. 267, Abstract No. 189, County Block (C.B.) 4528 from SOF Hidden Lake SA Owner, L.P., a Delaware limited partnership, Owner of Record, in the amount of \$152,669, total appraised value plus applicable closing costs. South Hausman Road LWC (LC5) Flood Control Project. Precinct Number 3.
38. Order accepting the following streets and drains in the identified subdivisions for County maintenance to begin August 8, 2017:

SUBDIVISION

STREET/DRAIN

Texas Research Park Phase-1
Plat No. 870326
Precinct # 1

Lambda Drive (East/Southbound) 6,238.50 lf	
Asphalt Width: 25'	
Lambda Drive (West/Northbound) 6,238.50 lf	
Asphalt Width: 25'	
Drain "A-1" 125.64 lf	Drain "A-2" 151.65 lf
Drain "D" 180.0 lf	Drain "D-1" 4.0 lf
Drain "D-2" 11.67 lf	Drain "E" 231.58 lf
Drain "E-1" 15.17 lf	Drain "E-2" 15.17 lf
Drain "F" 929.40 lf	Drain "F-1" 13.67 lf
Drain "F-2" 14.17 lf	Drain "F-3" 14.17 lf
Drain "F-4" 14.17 lf	Drain "G" 119.63 lf
Drain "G-0" 13.67 lf	Drain "G-1" 14.17 lf
Drain "G-2" 14.17 lf	Drain "G-3" 14.17 lf
Drain "G-4" 14.17 lf	Drain "H & H-1" 234.0 lf
Drain "H-2" 13.67 lf	Drain "I" 174.68 lf
Drain "I-1" 14.17 lf	Drain "J" 231.11 lf
Drain "J-1" 14.17 lf	Drain "J-2" 14.17 lf
Drain "M" 104.19 lf	Drain "M-1" 4.0 lf
Drain "M-2" 4.0 lf	

Westpointe East, Unit 33, Phase 1
Plat No. 150340
Precinct # 1

Pitcher Ranch 646.64 lf
Asphalt Width: 28'
Tillman Ridge 1,111.44 lf
Asphalt Width: 52.5'
Drain "A" 760.5 lf
Drain "B" 110.58 lf
Drain "A-1" 32.16 lf
Drain "B-1" 24.11 lf

SUBDIVISION

STREET/DRAIN

Escondido North, Unit 05
Plat No. 160076
Precinct # 4

Everett Loop 1,204.08 lf
Asphalt Width: 28'
No Name Provided 50.00 lf
Asphalt Width: 28'
Terlingua Cove 1,215.87 lf
Asphalt Width: 28'
Texas Palm Drive 1,219.38 lf
Asphalt Width 40'
Drain "B" 11.0 lf
Drain "C" 50.0 lf
Drain "D" 11.0 lf
Drain "F" 11.0 lf

- 39. Approval to establish Traffic Control devices as Stop Zones & No Parking Zones at specified locations in Precincts 1, 2, and 3.

STOP ZONES TO BE ESTABLISHED:

Precinct Number 1

Park Place Phase II Unit 6A Plat #160095

The Stop Sign shall be on Bluewood Crest at its intersection with Begonia Bluff. (1 stop)

The Stop Sign shall be on Begonia Bluff at its intersection with Rousseau. (1 stop)

Park Place Phase II Unit 1A Plat #160108

The Stop Sign shall be on Pecan Crest at its intersection with River Crest. (1 stop)

Precinct Number 1 & 2

All-Way Stop Location

The Stop Signs shall be on Old FM 471 West at its intersection with Talley Rd. This makes this intersection an all-way stop. (2 stops)

Precinct Number 2

Silver Canyon Subdivision Unit 3 Plat #CP201607

The Stop Sign shall be on Silver Chase at its intersection with Noble Canyon. (1 stop)

The Stop Sign shall be on Silver Field at its intersection with Noble Canyon. (1 stop)

The Stop Sign shall be on Castello Canyon at its intersection with Bent Canyon. (1 stop)

The Stop Sign shall be on Silver Chase at its intersection with Castello Canyon. (1 stop)

The Stop Sign shall be on Silver Field at its intersection with Castello Canyon. (1 stop)

Precinct Number 3

All-Way Stop Location

The Stop Signs shall be on Wilderness Oak at its intersection with Preserve Pkwy/Wesley Park. This makes this intersection an all-way stop. (2 stops)

NO PARKING ZONES TO BE ESTABLISHED:

Precinct Number 1

Park Place Phase II Unit 6A Plat #160095

Parking shall be prohibited on Rousseau both sides of street from Wooden Fox to 900 ft. west of Wooden Fox.

Item(s) Brought by Bexar Heritage and Parks:

(Betty Bueche)

40. Authorizing the establishment of a loan agreement for loans of objects to be displayed in the Bexar County Heritage Center on loan from P.I. Nixon Medical Historical Library.

INDIVIDUAL AGENDA ITEMS:

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

Item(s) Brought by Tax Assessor-Collector:

(Albert Uresti)

41. Presentation of the 2017 Effective and Rollback Tax Rates for Bexar County as calculated by the Office of Bexar County Tax Assessor-Collector per Section 26.04 of the Texas Property Tax Code.
(Estimated Presentation Time: 10 minutes) (Albert Uresti)

Item(s) Brought by Elections:

(Jacque Callanen)

42. Discussion and appropriate action for the orders necessary for the conduct of the Tuesday, November 7, 2017 Amendment, Joint General and Special Election to include:
- a. An Order calling the Amendment, Joint General and Special Election;
 - b. An Order designating the main early voting location and branch locations;
 - c. An Order setting compensation for the deputy early voting clerks for early voting;
 - d. An Order designating the rate of pay for up to three temporary employees at the Auditors to assure timely and accurate processing of the election payroll;
 - e. An Order adopting a voting system to be used;
 - f. An Order adopting the resolution designating the number of clerks authorized;
 - g. An Order adopting a resolution for the rate of pay for Election Day judges and clerks;
 - h. An Order adopting the voting times for Saturdays and Sundays for the Amendment Election;
 - i. An Order establishing an early ballot board;
 - j. An Order establishing a Central Counting Station and appointing a Presiding Judge.
- (Estimated Presentation Time: 10 minutes) (Jacque Callanen)

Item(s) Brought by Purchasing Department:

(Mary Quinones)

43. Discussion and appropriate action regarding a field trial agreement between Bexar County and Axon Enterprise, Inc., for body worn cameras, fleet equipment, hardware and software installation, and associated services, for a period of 180 days at no cost to the County; and authorizing the Purchasing Agent to execute document and file for record.
(Estimated Presentation Time: 10 minutes) (Mary Quinones)
44. Discussion and appropriate action regarding a contract to the lowest and best qualified bid submitted by J. Sanchez Contracting, Inc. (SMWBE) to provide for the purchase of construction services at JP-1 Building and Site Improvements in Precinct 1, in the amount of \$1,522,646 as requested by the Facilities Department, to include the appropriate budgetary transfer; and authorizing the Purchasing Agent to execute contract and file appropriate award documents for record.
(Estimated Presentation Time: 10 minutes) (Mary Quinones)

Item(s) Brought by Resource Management:

(Tina Smith-Dean)

45. Presentation and appropriate action regarding the 2017 Elected Officials' Salary Grievance Committee's recommendation regarding the grievance received from Constable Precinct One.
(Estimated Presentation Time: 10 minutes) (Janet Guadarrama)

Item(s) Brought by Facilities Management:

(Dan Curry)

46. Discussion and appropriate action requesting the County Judge to execute Amendment No. 1, to the Construction Manager at Risk Agreement between Bexar County and Guido Brothers Construction Company, Inc. (WBE), for a Guaranteed Maximum Price of \$11,678,365 in connection with the construction of two (2) law enforcement substations for the Bexar County Sheriff's Office.
(Estimated Presentation Time: 10 minutes) (Dan Curry)
47. Discussion and appropriate action regarding the design and construction of the new County parking garage to be located at 126 E. Nueva.
- a. Approval of the Professional Services Agreement between Bexar County and Saldana and Associates (DBE, MBE, SBE, HABE) in the amount of \$1,475,424 for the design, and construction administration of new Bexar County Parking Garage located at 126 E. Nueva to include the appropriate budgetary transfer.
 - b. Authority to release an RFP for Construction Manager at Risk (CMAR) Services for the new Bexar County Parking Garage located at 126 E. Nueva.
- (Estimated Presentation Time: 10 minutes) (Dan Curry)

Item(s) Brought by Economic and Community Development:

(David Marquez)

48. Approval of final selected projects to be funded with Community Development Block Grant (\$2,184,760) HOME (\$540,159) and ESG (\$196,327) Program funds for the 2017-2018 budget year.
(Estimated Presentation Time: 10 minutes) (David Marquez)

Item(s) Brought by County Manager:

(David Smith)

49. Discussion and appropriate action regarding a status update on the ongoing design and construction the San Pedro Creek Restoration project.
(Estimated Presentation Time: 15 minutes) (Tony Canez/Suzanne Scott)

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.

50. §551.071 Consultation with Attorney for advice regarding:

a. Pending or contemplated litigation or settlement offers in the following matters:

i. Anna McSpadden v. Bexar County Civil Service Commission;

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 August 4, 2017 at 4:45 pm