

# BEXAR COUNTY, TEXAS COMMISSIONERS COURT

## NOTICE OF PUBLIC MEETING

The Bexar County Commissioners Court will meet on **Tuesday, April 10, 2018 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 south end of the Courthouse located at the intersection of Nueva and Main streets. To access the second floor, individuals must use the handicap ramp located at the southwest corner of the County Courthouse and take the elevator to the second floor.

## COMMISSIONERS COURT CEREMONIAL AGENDA

1. Opening prayer: Ken Flores, Rey Feo LXX (Court/Paul Elizondo)
2. Pledge of Allegiance: (Court/Paul Elizondo)

## COMMISSIONERS COURT REGULAR AGENDA

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

- a. Presentation of a Proclamation recognizing His Royal Majesty, El Rey Feo LXX, Ken Flores and his Royal Court and the presentation of Fiesta Medals in celebration of "Fiesta Week."  
(Estimated Presentation Time: 15 minutes) (Court)
- b. Presentation of a Proclamation on behalf of Commissioners Court recognizing King Antonio XCVI, Richard A. Sparr and presentation of Fiesta Medals and appreciation letter by King Antonio and his aides, the Texas Cavaliers in celebration of Fiesta Week.  
(Estimated Presentation Time: 15 minutes) (Court)
- c. Presentation of a Proclamation to the Fiesta San Antonio Commission, Inc., recognizing April 19, 2018 through April 29, 2018 as "Fiesta Week."  
(Estimated Presentation Time: 15 minutes) (Court)
- d. Presentation of a proclamation on behalf of Commissioners Court recognizing April 24, 2018 through April 27, 2018 to be "Night In Old San Antonio."  
(Estimated Presentation Time: 15 minutes) (Court)
- e. Presentation of a proclamation on behalf of Commissioners Court recognizing April 8, 2018 through April 14, 2018 to be "National Crime Victims' Rights Week."  
(Estimated Presentation Time: 10 minutes) (Court/Tommy Calvert)
- f. Presentation of a proclamation on behalf of Commissioners Court recognizing "Month of the Military Child – Brave Hearts, Resilient Souls" in Bexar County and across the nation.  
(Estimated Presentation Time: 10 minutes) (Court/Kevin A. Wolff)
- g. Presentation of a proclamation on behalf of Commissioners Court recognizing April 2018 as Alcohol Awareness Month.  
(Estimated Presentation Time: 10 minutes) (Court/Sergio "Chico" Rodriguez)
- h. Presentation of a proclamation on behalf of Commissioners Court recognizing the Indigenous Culture and Art Festival.  
(Estimated Presentation Time: 10 minutes) (Court/Sergio "Chico" Rodriguez)

### 4. **SPECIAL PRESENTATION ITEM(S):**

- a. Presentation and approval to accept a donation from the Hidalgo Foundation of Bexar County, Inc. for the Bexar County BiblioTech in the amount of \$93,333 for the "Certified Success Program" and other programs of BiblioTech East.  
(Estimated Presentation Time: 10 minutes) (Tracy Wolff)

5. **TIME CERTAIN PRESENTATION ITEM(S)**

*Recess Commissioners Court*

- a. **10:00 a.m.:** Convene as Board of Directors, Bexar County Housing Finance Corporation.  
(Estimated Presentation Time: 5 minutes) (Board/Norton Rose Fulbright)

*Reconvene Commissioners Court*

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. Fax letter from Deputy Sheriffs' Association of Bexar County, Re: Grievance 2018-DSABC-02 (Herbert Ward) Notice of Intention to submit STEP 3 Negotiations.
  - b. Notice of Administrative Appeal submitted by Sareen & Bozza PLLC, Re: 2018CI02926, Style: Richard A. Ruiz vs. Bexar County Civil Service Commission and Bexar County Information Technology Department.
  - c. Intergovernmental Agreement Modification 9 between the United States Marshals Service and Bexar County, dated effective October 29, 2017, approved February 27, 2018.
  - d. Intergovernmental Agreement Modification 10 between the United States Marshals Service and Bexar County, dated effective December 5, 2017, approved February 27, 2018.
  - e. Citation Directed to Bexar County Sheriff's Department by Serving County Judge, Nelson W. Wolff, Re: Chriselda Solis vs. Bexar County Sheriff's Department, Case No. 2018-CI-05580.
  - f. Citation Directed to Bexar County Sheriffs Office by Serving County Judge, Nelson W. Wolff, Re: Vanessa Ray vs. Bexar County Sheriffs Office, Case No. 2018-CI-04842.
8. Approval of Commissioners Court minutes for March 27, 2018.
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 Commissioners Court to appoint Jordana Decamps Mathews to replace Dr. Richard Gambitta on the VIA Board of Directors to serve a term that begins upon appointment and expires December 31, 2018.
11. Approval of a request from Commissioner Kevin A. Wolff, Precinct 3, to appoint Robin A. Roberts to replace Dolly Taylor on the Bexar County Emergency Services District #4 Board of Commissioners to serve a term to begin upon appointment and expire on December 31, 2018.

12. Approval of a request from Commissioner Kevin A. Wolff, Precinct 3 to reappoint Mario Hune to the Bexar County Emergency Services District #8 Board of Commissioners to begin upon appointment and expire on December 31, 2019.
13. Approval of a request from Commissioner Tommy Calvert, Precinct 4 to allocate \$2,233.66 to the Bexar County Heritage and Parks Department for venue costs associated with Juneteenth 2018 to be held on Friday, June 1<sup>st</sup> and Saturday June 2<sup>nd</sup> at Comanche Park #2.
14. Approval of a request from Commissioner Tommy Calvert, Precinct 4 to expedite contract approval and disbursement of payment to Crosspoint's Jail Diversion Program which was funded in Bexar County's Fiscal Year 2017-18 Adopted Budget, Capital Improvement Fund.
15. Approval of a request from Commissioner Paul Elizondo, Precinct 2, to appoint Tony Canez to the Alameda Theater Conservancy Board for a term to begin upon appointment, and to be appointed to the Oversight Committee as created by the Alameda Theater Funding Agreement; and direct staff to notify the Parties as required by the Agreement.

**Item(s) Brought by District Attorney:**

**(Nicholas "Nico" LaHood)**

16. Approval to make Chapter 59 State Asset Forfeiture expenditures consistent with prior and similar expenditures from the District Attorney's State Asset Forfeiture budget and authorizing the same expenditures for the remainder of the current DA's term of office in accordance with Code of Criminal Procedures 59.06(d-1)(6)(B). Such expenditures are more fully detailed on the attachment and will not exceed the maximum anticipated amounts.
17. Approval to make Federal Asset Forfeiture expenditures consistent with prior and similar expenditures from the District Attorney's Federal Asset Forfeiture budget and authorizing the same expenditures for the remainder of the current DA's term of office as is similarly done with State Asset Forfeiture funds in accordance with Code of Criminal Procedures 59.06(d-1)(6)(B). Such expenditures are more fully detailed on the attachment and will not exceed the maximum anticipated amounts.

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

**(Javier Salazar)**

18. Authorizing the Bexar County Auditor to pay invoice(s) from Fiscal Year 2018 invoice(s) in the amount of \$4,350 for professional service fees.
19. Approval of Cost Reimbursement Agreement associated with the Memorandum of Understanding between the Bexar County Sheriff's Office and the Federal Bureau of Investigation as active participants in the Child Exploitation Task Force.

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

**(Susan Yeatts)**

20. Approval of bills to include claims registers for Wednesday, March 28, 2018 and Wednesday, April 4, 2018 and Friday, April 6, 2018.
21. Authorization and approval for the County Auditor to pay routine bills from Monday, April 9, 2018 through Friday, April 20, 2018.
22. Authorization to distribute upcoming payroll, to include overtime, uniform allowances and auto allowances to be paid on Friday, April 13, 2018.

23. Approval according to Section 31.11 for \$148,704.19 in refunds for payments received by the Tax Assessor-Collector's Office in the form of tax overpayments made on 27 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.
24. Approval of Tax Assessor-Collector's report of Taxes collected in March 2018 and approval of the order transferring tax collections for the month of March 2018 from unallocated receipts.
25. Acceptance of the certification by the County Auditor, pursuant to Local Government Code §111.0108, of additional revenue available for the Bexar County Sheriff's State Asset Forfeiture Fund 312 in the amount of \$21,921. The Commissioners Court is not hereby adopting a special budget.
26. Acceptance of the certification by the County Auditor, pursuant to Local Government Code §111.0108, of additional revenue available for the Bexar County Sheriff's Federal Asset Forfeiture Fund 313 in the amount of \$67. The Commissioners Court is not hereby adopting a special budget.
27. Approval of a request to establish a new change fund for the Facilities Department – Parking Division – for \$9,000.

**Item(s) Brought by Tax Assessor-Collector:**

**(Albert Uresti)**

28. Approval of a request for the waiver of penalty and interest, for the Bexar County taxing jurisdiction, in the amount of \$200.25 on account #16334-020-0060, TMonaco Ventures LLC, tax year(s) 2017 in accordance with Section 33.011 of the Texas Property Tax Code.

**Item(s) Brought by Information Technology:**

**(Mark Gager)**

29. Authorization to transfer existing Bexar County voice and data wireless lines in use by Public Safety Offices (Bexar County Sheriff's Office, Office of Emergency Management, and Fire Marshal) to the new AT&T FirstNet Network. FirstNet will provide priority access for first responders on the AT&T network, to include dedicated access to a reliable and secure network for advanced communication and collaboration.

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

**(Renee Green)**

30. Approval of the Real Estate list for the May 1, 2018 Commissioners Court Auction due to delinquent taxes and authorizing the Sheriff to advertise and sell the properties at a public sale pursuant to Section 34.05(h) of the Texas Tax Code.
31. Approval of subdivision plat#170606 within the Extra Territorial Jurisdiction of the City of San Antonio: Alamo Ranch Unit 48C Ph 2-1 PUD, owner: Pulte Homes of Texas, L.P., located northeast of Del Webb Boulevard and Colbert Ferry, not within the Edwards Aquifer Recharge Zone. Precinct Number 1.
32. Authorizing acceptance of donation of a 0.272 acre tract of land, being out of an approximate 109.7 acre portion of a 120.935 acre tract conveyed to Geo. C. Vaughan & Sons, Inc. as recorded in Volume 7977, Page 806 of the Deed and Plat Records of Bexar County, Texas situated in the J.J. Sanchez Survey 34, Abstract 665, County Block 5100, Bexar County, Texas, from Vaughan & Sons, Inc., a Texas Corporation, owner of record, for use as expanded road right-of-way as part of the BC10 Foster Road Phase III Right-of-Way Project, at no cost to the County. Precinct 4.

33. Approval to establish Traffic Control devices as Stop Zones at specified locations in Precincts 1 and 2.

*STOP ZONES TO BE ESTABLISHED:*

**Precinct Number 1**

Luckey Ranch Unit 19 Plat #160596

The Stop Sign shall be on Chevler Pass at its intersection with Carlson Valley. (1 stop)

The Stop Sign shall be on Anka Drive at its intersection with Sabinal. (1 stop)

The Stop Sign shall be on Childers Way at its intersection with Sabinal. (1 stop)

**Precinct Number 2**

Kallison Windgate Subdivision Plat #170054

The Stop Sign shall be on Flint Meadows at its intersection with Kallison Pass. (1 stop)

The Stop Sign shall be on Flint Cove at its intersection with Kallison Pass. (1 stop)

The Stop Sign shall be on Kallison Pass at its intersection with Kallison Bend. (1 stop)

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

**(Dan Curry)**

34. Approval of the Second Amendment to the Construction Manager at Risk Agreement between Bexar County and Guido Brothers Construction Company, Inc. for the Sheriff's Substations Project at a zero cost, converting the contract to Lump Sum establishing a car wash allowance within the current contract amount.
35. Authorizing the Bexar County Auditor to pay invoice(s) from Fiscal Year 2017 in the amount of \$133,418 for services related to the Southwest Sheriff's Substation at 6825 Cagnon Rd.

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

**(Tina Smith-Dean)**

36. Approval of the Master Services Agreement between Aetna Life Insurance Company and Bexar County for Aetna to provide third party administration of Bexar County health plans.

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

**(Mary Quinones)**

37. Awarding requirement contracts to Daniel Cassillas (Sub-Part A - \$400,022), Affordable Custodial (Sub-Part B- \$33,998; Sub-Part C - \$53,013), Phoenix Trading(Sub-Part D - \$87,053), and ICS Jail Supplies, Inc. (Sub-Part E - \$27,938), for purchase and delivery of a wide variety of Janitorial and Personal Care items for a two-year period, beginning upon award and ending February 28, 2020 and providing for three (3) one-year options for renewal; and authorizing the Purchasing Agent to execute contracts and file the appropriate award documents for the record.
38. Awarding a requirements contract to Data Preservation Solutions to provide document preservation services for pre-preserved case-files (1849-1899) in the estimated amount of \$150,000, as requested by the District Clerk through The Interlocal Purchasing System (TIPS) cooperative contract # 170602, from time of award through September 30, 2018; and authorizing the Purchasing Agent to execute and file the appropriate award documents for record.
39. Authorizing a contract modification with Magic in the Sky, LLC in the amount not to exceed \$98,085 for the Tricentennial Fireworks Extravaganza for Bexar County as requested by the Bexar Heritage & Parks Department to include the appropriate budgetary transfer; and authorizing the Purchasing Agent to execute the contract and file the appropriate award documents for record.

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

**(Stan Ramos)**

40. Approval of a request to hire Rudy D. Castillo, a Bexar County retiree as Deputy Constable for Bexar County Constable Office Precinct 4.

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

**(David Smith)**

41. Approval of a Transportation Program Agreement between Bexar County and Lyft, Inc. in the amount not to exceed \$49,000.

**INDIVIDUAL AGENDA ITEMS:**

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

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

**(David Smith)**

42. Discussion and appropriate action regarding the approval of a proposal in the amount of \$54,000 from SASTEMIC for the provision of Makers' Space educational programming and staff training services for BiblioTech East.  
(Estimated Presentation Time: 10 minutes) (Laura Cole)

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

**(Tina Smith-Dean)**

43. Discussion and appropriate action regarding a review of the Guardianship of Last Resort Program.  
(Estimated Presentation Time: 10 minutes) (Tina Smith Dean/ David Marquez)

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

**(Gerard Rickhoff)**

44. Drawing 25 names from the 2017 Grand Jury List, nine (9) of which will serve on the 2018 Salary Grievance Committee; an additional nine (9) names are needed to serve as Alternates.  
(Estimated Presentation Time: 5 minutes) (Elizabeth Small)

**Item(s) Brought by District Attorney:**

**(Nicholas "Nico" LaHood)**

45. Discussion and appropriate action regarding a professional services agreement with the law firm of Shelton & Valadez to hire attorney Wade Shelton for the representation of the Criminal District Attorney before the State Commission on Lawyer Conduct.  
(Estimated Presentation Time: 5 minutes) (Ed Schweningen)
46. Discussion and appropriate action regarding an agreement for the sole source acquisition of a case management software program entitled "LawBase" from Synaptec Software, Inc. for use by the Criminal District Attorney's Office in its representation of The Texas Department of Family and Protective Services (TDFPS) in lawsuits for the protection of the children of Bexar County. The program was specifically written for the Harris County Attorney's Office doing the same TDFPS child protection litigation. The amount of this purchase is for \$47,760 with annual support and maintenance of \$6400 which will be funded from the District Attorney's Asset Forfeiture fund.  
(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.

**47. §551.071 Consultation with Attorney for advice regarding:**

a. 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. The contract with Magic in the Sky, LLC for the Tricentennial Fireworks Extravaganza.

Posted: Friday, April 6, 2018 at 5:00 p.m.