

BEXAR COUNTY, TEXAS COMMISSIONERS COURT



UG-98-2018-25171

NOTICE OF PUBLIC MEETING

The Bexar County Commissioners Court will meet on **Tuesday, June 19, 2018 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 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: Major Roger Bermea, USAF, MSC (Court/Paul Elizondo)
2. Pledge of Allegiance: (Court/Paul Elizondo)

COMMISSIONERS COURT REGULAR AGENDA

3. CEREMONIAL ITEM(S):

- a. Presentation of service pins recognizing Bexar County employees for 25 and 30 years of service:

Name	Date Employed	Years	Office/Department
Noel Nino	9/11/1992	25	Sheriff's Office
James Hancock	5/6/1988	30	Sheriff's Office

(Estimated Presentation Time: 15 minutes)

(Court)

- b. Presentation of a Hidalgo on behalf of Commissioners Court honoring Michael Lackey for his service and leadership to the San Antonio River Authority and Bexar County.
(Estimated Presentation Time: 5 minutes) (Court/ Nelson W. Wolff)

- c. Presentation of a Proclamation on behalf of Commissioners Court recognizing and proclaiming October 9, 2018 through October 13, 2018 to be "Peanut Festival Days" in Floresville, Texas celebrating its 74th annual Peanut Festival.
(Estimated Presentation Time: 5 minutes) (Court)

4. SPECIAL PRESENTATION ITEM(S):

- a. Presentation of the Distinguished Budget Presentation Award for Fiscal Year 2017-18 to the County of Bexar, Texas recognizing the County's Planning and Resource Management Department and the Office of the County Manager for meeting the highest principles of governmental budgeting and satisfying nationally recognized guidelines for effective budget presentation.
(Estimated Presentation Time: 5 minutes) (Paul Elizondo)

5. TIME CERTAIN PRESENTATION ITEM(S)

- a. **10:30 a.m.:** The Commissioners Court invites public input regarding the preliminary selection of projects to be funded with Community Development Block Grant (\$2,389,710) HOME (\$737,702) and ESG (\$196,678) Program funds.
(Estimated Presentation Time: 10 minutes) (David Marquez)
- b. **10:40 a.m. or immediately following item 4b.** – Discussion and appropriate action regarding the preliminary selection of projects to be funded with Community Development Block Grant (\$2,389,710) HOME (\$737,702) and ESG (\$196,678) Program funds for the 2018-2019 Budget Year.
(Estimated Presentation Time: 10 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. Filing for record the following legal and administrative documents and directing the Criminal District Attorney's Office to take action, if necessary:
 - a. U.S. District Court – Summons in a Civil Action – Bexar County, Texas, Re: Salina Marie Badillo v. Mercedes Holguin, et al., Civil Action No. 5:18-CV-00435-FB.
 - b. Bexar County Sheriff's Office FY 2018 Budget for State Asset Forfeiture Fund – 312.
 - c. Bexar County Sheriff's Office FY 2018 Budget for Federal Asset Forfeiture Fund – 313.
 - d. Notice of Claim submitted by Leslie Sachanowicz, Re: Armando Ramos.
 - e. Fax letter from Deputy Sheriffs' Association of Bexar County, Re: Grievance 2018-DSABC-Class-02 (Sgt. Barrera section/unit seniority) No Resolution Certificate.
 - f. Fax letter from Deputy Sheriffs' Association of Bexar County, Re: Grievance 2018-DSABC-Class-02 (Sgt. Barrera section/unit seniority) Notice to Submit to Arbitration.
 - g. Citation Directed to Bexar County by Serving Nelson Wolff, County Judge, Re: Refund Advisory Corp vs. Albert Uresti Etal.
8. Approval of Commissioners Court minutes for June 5, 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 County Judge Nelson W. Wolff to reappoint Dr. Margaret Kelley to the Center for Health Care Services board of Trustees for a 2 year term to expire on June 30, 2020.
11. Approval of a request from Commissioner Paul Elizondo, Precinct 2 to reappoint Dr. Felix Almaraz to the Bexar County Historical Commission for a term to begin upon appointment and expire on June 30, 2019.
12. Approval of a request from County Judge Nelson W. Wolff to designate Dr. Felix Almaraz as the Chairman of the Bexar County Historical Commission to begin upon approval and expire on June 30, 2019.
13. Approval of a request from County Judge Nelson W. Wolff to appoint Ms. Jane Gonzalez to replace Mr. Porter Dillard on the Small, Minority and Women-Owned Business Enterprise Program (SMWBE) Advisory Committee to serve a term to begin upon appointment and expires on February 8, 2020.

14. Approval of a request from Commissioner Kevin A. Wolff, Precinct 3 to reappoint the following to the Bexar County Emergency Services District #3 Board of Commissioners.

Name	Date of Appointment	Expire	Replacing
Raymond L. Wilkinson	June 19, 2018	December 31, 2019	Reappointment
Robert A. Moss	June 19, 2018	December 31, 2020	Reappointment

Item(s) Brought by District Attorney:

(Nicholas "Nico" LaHood)

15. Approval of a request by Bexar County Criminal District Attorney Nicholas "Nico" La Hood to appoint Honorable Tim Johnson to replace John Steinberg on the Advisory Board of the Bexar County Dispute Resolution Center to serve a term beginning upon appointment and ending April 16, 2020.

Item(s) Brought by Fire Marshal Office:

(Chris Lopez)

16. Ratification of the receipt and acceptance of a \$25,000 contribution from the Andeavor Foundation to the Bexar County Fire Marshal's Office Wildland Urban Interface for the Bexar County community.

Item(s) Brought by Tax Assessor-Collector:

(Albert Uresti)

17. Approval of an Interlocal Agreement between the Bexar County Tax Assessor-Collector and the City of Fair Oaks Ranch, a home rule city, for the collection of property tax assessments levied on property within the City's boundaries by the Bexar County Tax Assessor-Collector through authority granted by and in compliance with the provisions of the Interlocal Cooperation Act, Chapter 791 Texas Government Code and the provisions of Chapter 6, Subchapter B of the Texas Tax Code.
18. Approval of a request for the waiver of penalty and interest for the Bexar County taxing jurisdiction in the amount of \$737.76. In reference to account(s) #04446-550-0100 in the amount of \$600.64 (penalty = \$467.17 + interest = \$133.47), #04446-550-0110 in the amount of \$72.75 (penalty = \$56.60 + interest = \$16.15), #04446-552-0090 in the amount of \$64.37 (penalty = \$50.06 + interest = \$14.31), Diana Silva, tax year(s) 2017 in accordance with Section 33.011 of the Texas Property Tax Code.

Item(s) Brought by County Auditor:

(Susan Yeatts)

19. Authorization and approval for the County Auditor to pay routine bills from Monday, June 18, 2018 through Friday, July 6, 2018.
20. Authorization to distribute upcoming payroll, to include overtime, uniform allowances, and auto allowances to be paid on Friday, June 29, 2018.
21. Approval of bills to include claims registers for Wednesday, June 6, 2018 and Friday, June 8, 2018; and Wednesday, June 13, 2018, and Friday, June 15, 2018.
22. Approval of an order canceling previously issued Elections, Payroll, Fee Office Refund, Sheriff Inmate Trust, and CSCD Restitution checks, and District Attorney undeliverable payments totaling \$2,877.59 to be credited to the Unclaimed Money Fund that are subject to public notification in accordance with Texas Property Code, Title 6. Unclaimed Property, Chapter 76.

23. Request approval according to Section 31.11 for \$155,441.35 in refunds for payments received by the Tax Assessor-Collector's Office in the form of tax overpayments made on 22 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 an order canceling previously issued Central Disbursement, Elections, Payroll, Fee Office Refund, Sheriff Inmate Trust, and CSCD Restitution checks and DA undeliverable payments totaling \$17,454.75 to be escheated to the state in accordance with Texas Property Code, Title 6. Unclaimed Property, Chapters 72-76.
25. Approval of an order canceling previously issued Central Disbursement, Payroll, Fee Office Refund, Sheriff Inmate Trust, CSCD Restitution refund, and District Attorney Check Fee Restitution checks, and District Attorney undeliverable payments totaling \$27,687.50 and crediting the monies to the General Fund.
26. Approval of an order canceling 15,548 previously issued Jury checks totaling \$109,795.60 and crediting the monies to the General Fund.
27. 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 \$2,809. The Commissioners Court is not hereby adopting a special budget.
28. 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 \$936. The Commissioners Court is not hereby adopting a special budget.
29. 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 May 2018. Notification of payment to those employees who have accumulated hours in excess of the FLSA maximum level for an estimated amount of \$92,331 and approval of the appropriate budget transfers.
30. Approval of an order canceling one previously issued Juvenile Probation Restitution check totaling \$60 and crediting the monies to the Unclaimed Juvenile Restitution Fund.
31. Approval of an order canceling previously issued refund checks for adjustments to the roll from the Bexar County Tax Office for 99 checks totaling \$102,890.79 to be escheated to the state in accordance with Texas Property Code, Title 6. Unclaimed Property, Chapter 76 and the monies from these accounts to be transferred and then be paid to the County General Fund and Texas Comptroller of Public Accounts.
32. Approval of an order canceling previously issued refund checks for overpayment or erroneous payment of taxes from the Bexar County Tax Office for 225 checks totaling \$160,290.85 in accordance with Tax Code 31.11, Refunds of Overpayment or Erroneous Payments and the monies from these accounts to be transferred and then be paid to the County General Fund.
33. Approval of an order canceling previously issued refund checks for overpayment or adjustment refunds from \$50.01 to \$100 from the Bexar County Tax Office for 65 checks totaling \$4,679.65 to be credited to the Unclaimed Money Fund and subject to publication notification on accordance with Texas Property Code, Title 6. Unclaimed Property Chapter 76.
34. Approval of an order canceling previously issued refund checks for overpayment or adjustment refunds for \$50 and under from the Bexar County Tax Office for 133 checks totaling \$2,113.20 and crediting the monies to the Unclaimed Money Fund.

Item(s) Brought by Civil District Court Administration:

(Peter Sakai)

35. Approval of an amendment to the professional services 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 October 1, 2017 through September 30, 2018, adding \$28,056 to the existing agreement increasing the total payments for services and expenses under this Agreement from \$40,000 to \$68,056.

Items(s) Brought by Purchasing:

(Mary Quinones)

36. Awarding a delivery order to Smith Detection Incorporated for the one-time purchase of Security Equipment as requested by the Sheriff's Office in the amount of \$72,319 through a GSA contract; and authorizing the Purchasing Agent to execute and file appropriate award documents for record.
37. Awarding a Purchase order on a sole source basis to VOTEC to provide for the purchase of Election Management Software for Votesafe support, VEMACS support, BallotBoard annual renewal license and support, for a period beginning upon award and ending August 25, 2019 in the annual amount of \$225,289; and authorizing the Purchasing Agent to execute and file the appropriate award documents for record.
38. Awarding the renewal of a requirements contract with AG-Pro Texas, LLC and Romco Equipment Company, LLC for the purchase of Heavy Equipment Parts and Services beginning upon award through May 31, 2019 as requested by the Public Works Department, in the combined estimated annual amount of \$95,000; and authorizing the Purchasing Agent to execute and file the appropriate award documents for record.
39. Awarding the renewal of a requirements contract with Ozark Materials LLC for the purchase of Thermoplastic Alkyd Resin beginning upon award through May 31, 2019 as requested by the Public Works Department, at an estimated annual amount of \$85,000 authorizing the Purchasing Agent to execute and file the appropriate award documents for record.

Item(s) Brought by Public Works:

(Renee Green)

40. Approval of Field Alteration Number 3 between Bexar County and Tropical Contracting, LLC requesting to increase the contract amount by \$49,010 in connection with Flood Control Capital Project, Salado Creek Tributary D at Ira Lee, SC41, Purchase Order No. 11573012, Precinct Number 4.
41. Approval of an Engineering Services Agreement between Bexar County and BGE, Inc. for Construction Management and Inspection Services in an amount not to exceed \$986,459.15 for fees related to the Bulverde Road Phase IV (MPO) Project, Precinct Number 3.
42. Approval of subdivision plat# 170574 within the Extra Territorial Jurisdiction of the City of San Antonio: Stevens Ranch Retail, owner: WRI Cumberland Gp. L.L.C., located northeast of Potranco Road – FM 1957 and Stevens Parkway, not within the Edwards Aquifer Recharge Zone, Precinct Number 1.
43. Approval of subdivision plat# 180043 within the Extra Territorial Jurisdiction of the City of San Antonio: 36.06 Acre Tract at Potranco/AI, owner: McCombs Family Partners, LTD, located northeast of Potranco Road – FM 1957 and Grosenbacher Road, not within the Edwards Aquifer Recharge Zone, Precinct Number 1.
44. Approval of subdivision plat#170373 within the Extra Territorial Jurisdiction of the City of San Antonio: Kinder West Unit 3 Enclave, owner: LFV Properties, LTD, located northwest of Kinder Parkway and Borgfeld Drive, not within the Edwards Aquifer Recharge Zone, Precinct Number 3.

45. Order accepting the following streets and drains in the identified subdivisions for County maintenance to begin June 19, 2018:

SUBDIVISION

STREET/DRAIN

Remuda Ranch North, Unit 09
Plat No. 160429
Precinct #2

High Branch 294.21 lf
Asphalt Width: 28'
Monument Park 430.08 lf
Asphalt Width: 28'
Drain "X" 11.0 lf
Drain "Y" 11.0 lf

46. Approval to establish Traffic Control devices as Stop Zones at specified locations in Precinct Number 1.

STOP ZONES TO BE ESTABLISHED:

Precinct Number 1

Alamo Ranch Unit 18C Plat #170201

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

The Stop Sign shall be on Concho River at its intersection with Red Maple Way. (1 stop)

Item(s) Brought by Resource Management:

(Tina Smith-Dean)

47. Approval of revisions to the Technical Advisory Committee for Persons with Disabilities (TACPD) By-Laws as amended.

Item(s) Brought by Facilities Management:

(Dan Curry)

48. Approval of a request from Facilities Management Department to hire retiree Hector R. Lynch as a full time Locksmith at a monthly salary of \$3,463 and yearly salary of \$41,556 to be effective June 20, 2018.
49. Approval of a request to transfer funds within the Facilities Management department general fund accounting units to pay for Custodial Services at multiple County buildings to include the appropriate budgetary transfer.

Item(s) Brought by Judicial Services:

(Mike Lozito)

50. Approval to submit a budget request in the amount of \$316,130 to the Substance Abuse and Mental Health Services Administration (SAMHSA) (Grant # 6H79SM063519-2M002) Year One Carryover funding for the Resiliency in Communities After Stress and Trauma (Re-CAST) program to be utilized for additional programmatic and community capacity activities provided by Non-Profit Organizations – San Antonio Fighting Back and WestCare Foundation for the term of September 30, 2107 to September 29, 2018 (Year Two of a Five Year Grant Program).

INDIVIDUAL AGENDA ITEMS:

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

Item(s) Brought by Commissioners Court:

(Court)

51. Discussion and appropriate action regarding the contract between Bexar County and the Alamo City Black Chamber of Commerce for its Education, Training and Capacity Building Program beginning August 1, 2018 and ending September 30, 2019 in the amount of \$371,750; and approval of appropriate budgetary transfer.
(Estimated Presentation Time: 5 minutes) (Thomas Guevara/Dwayne Robinson)

Item(s) Brought by Economic and Community Development:

(David Marquez)

52. Presentation, discussion and appropriate action regarding the County of Bexar's *Tax Abatement Guidelines*.
(Estimated Presentation Time: 10 minutes) (David Marquez)
53. Presentation, discussion and appropriate action regarding an economic development incentive request submitted by The Hut Group.
(Estimated Presentation Time: 5 minutes) (David Marquez)

Item(s) Brought by Resource Management:

(Tina Smith-Dean)

54. Discussion and consideration of approval and execution of the Facility Sub-Lease and License & Operating Agreements between Bexar County and University of the Incarnate Word to fund a portion of the development, construction and equipping of the new School of Osteopathic Medicine in the amount of \$1,500,000 and providing the County with health, research and medical services in the community; and approval of the appropriate budgetary amendment.
(Estimated Presentation Time: 10 minutes) (Seth McCabe)

Item(s) Brought by Judicial Services:

(Mike Lozito)

55. Discussion and appropriate action regarding the approval of a grant application to the U.S. Department of Justice (DOJ), Bureau of Justice Assistance (BJA) for the solicitation entitled "Innovations in Reentry Initiative: Reducing Recidivism Through Systems Improvement" to fund a reentry strategic plan and residential treatment for opioid-addicted individuals in the amount of \$1,000,000 with \$500,000 in federal funding and \$250,000 in local in-kind match and \$250,000 in local cash match. The grant term will be for a period of 36 months beginning October 1, 2018, and acceptance of funds if awarded.
(Estimated Presentation Time: 10 minutes) (Mike Lozito)
56. Presentation, discussion and appropriate action concerning jail population strategies and trends.
(Estimated Presentation Time: 10 minutes) (Mike Lozito)

Item(s) Brought by Office of Emergency Management/Fire Marshal:

(Kyle Coleman)

57. Presentation discussion and appropriate action regarding the following matters:
- a. 2018 Fourth of July Fireworks Sale Season; and
 - b. Approval to adopt an Order Restricting Outdoor Burning, effective on the date of adoption of the Order.
- (Estimated Presentation Time: 10 minutes) (Chris Lopez)

Item(s) Brought by Civil District Court Administration:

(Peter Sakai)

58. Discussion and appropriate action regarding the approval of a submission of an electronic grant application to the Office of Juvenile Justice Delinquency and Prevention (OJJDP) for the "FY 2018 Drug Treatment Courts Program" for the Bexar County Family Drug Court in the amount of \$1,200,000 which includes \$900,000 in federal funding and \$300,000 in local in-kind match, and acceptance of funds if awarded. The term of the grant is from October 1, 2018 through September 30, 2022.
- (Estimated Presentation Time: 10 minutes) (Barbara Schafer)

Item(s) Brought by Heritage and Parks:

(Betty Bueche)

59. Discussion and appropriate action regarding the following items related to the Hot Wells County Park Project:
- a. Davila Construction Change Order #1 in the amount of \$953,221.32 for construction services related to the Hot Wells County Park Project;
 - b. Alamo Architects Amendment #3 in the amount of \$55,830, for the design services related to the Hot Wells County Park Project;
 - c. Approval of the construction of additional amenities, environmental fees, impact fees and contingency in the amount of \$179,641 related to the Hot Wells County Park Project; and
 - d. Appropriate budgetary transfer.
- (Estimated Presentation Time: 10 minutes) (Betty Bueche)
60. Discussion and appropriate action regarding approval of an agreement for the Canary Islands Descendants Association in the amount of \$337,500 in connection with the founding communities monument; and approval of the appropriate budgetary transfer.
- (Estimated Presentation Time: 10 minutes) (Betty Bueche)

Item(s) Brought by District Attorney:

(Nicholas "Nico" LaHood)

61. Discussion and appropriate action regarding a settlement proposal in the following litigation: Kenneth R. Janak v. Steven Cartwright and Bexar County, Texas.
- (Estimated Presentation Time: 5 minutes) (Ed Schweninger)

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.

62. §551.071 Consultation with Attorney for advice regarding:
- a. Pending or contemplated litigation or settlement offers in the following matters:
 - i. Kenneth R. Janak v. Steven Cartwright and Bexar County; and
 - ii. Richard A. Ruiz v. Bexar County Civil Service Commissioner and Bexar County Information Technology Department.
63. 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:
- a. Notice received from the Deputy Constables of Bexar County and their request to collectively bargain.

Posted: Friday, June 15, 2018 at 5:00 p.m.

FILE INFORMATION

Document Number: 25171
Date/Time: 6/15/2018 4:56:46 PM
Total Pages: 10
FILED IN THE OFFICIAL PUBLIC
RECORDS OF BEXAR COUNTY
GERARD C. RICKHOFF
BEXAR COUNTY CLERK
Total Fees: \$0.00