

BEXAR COUNTY, TEXAS COMMISSIONERS COURT

NOTICE OF PUBLIC MEETING

The Bexar County Commissioners Court will meet on **Tuesday, July 7, 2015 at 10:00 a.m. in the new 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: Nancy Taguacta, Community Resources (Sergio “Chico” Rodriguez)
2. Pledge of Allegiance (Sergio “Chico” Rodriguez)

COMMISSIONERS COURT REGULAR AGENDA

3. CEREMONIAL ITEM(S):

- a. Presentation of services pins recognizing Bexar County employees for years of service:

Name	Years	Date Employed	Office/Department
Paul Rivera	25	5/16/1990	District Clerk
Samuel Presas	25	5/11/1990	Sheriff
Richard Esqueda	30	5/21/1985	Sheriff

(Estimated Presentation Time: 15 minutes)

(Court)

4. SPECIAL PRESENTATION:

- a. Presentation of the Graduation Awards for the Bexar County Small, Minority and Woman owned Business (SMWBE) Program/Associated General Contractors – San Antonio Chapter Construction Industry Mentor Protégé Program.

(Estimated Presentation Time: 15 minutes)

(Renee Watson)

5. TIME CERTAIN:

- a. **11:00 a.m.:** Presentation, discussion and appropriate action regarding the approval of the Bexar Metro 9-1-1 Network District Proposed Fiscal Year 2016 Budget pursuant to the Texas Health & Safety Code, Chapter 772.309.

(Estimated Presentation Time: 10 minutes)

(W. H. Buchholtz)

- b. **11:10 a.m. or immediately following item 5(a):** Discussion and appropriate action regarding the final selection of projects to be funded with 2015 Community Development Block Grant (\$2,106,523) HOME (\$487,489) and Emergency Solutions Grant (\$185,671) Program funds for the 2015-2016 Budget Year.

(Estimated Presentation Time: 20 minutes)

(Nancy Taguacta)

6. Communications from citizens who signed the register to speak.

COMMISSIONERS COURT REGULAR AGENDA

7. Request of Commissioners Court to identify items from the Consent Agenda for additional discussion and to approve remaining Consent Agenda items.
8. Filing for record the following legal and administrative documents and directing the Criminal District Attorney's Office to take action, if necessary:
 - a. Notice of Citation directed to Bexar County, by serving County Judge Nelson Wolff, Re: David Faulkner, et al vs. Melissa Terrazas, et al.
 - b. Resolution and Order No. 2015-001 for the Bexar County Emergency Services District No. 3.
 - c. Fax letter from Deputy Sheriffs' Association, regarding Grievance 2015-DSABC-Class-01 DSABC Request for Arbitration.
 - d. Fax letter from Deputy Sheriffs' Association, regarding Grievance 2015-DSABC-01 Notice of Intention to Submit to Step 3 Negotiations.
 - e. Bexar County Sheriff's Office FY 2015 Budget for State Asset Forfeiture Fund – 312.
 - f. U.S. Bankruptcy Court for the District of Utah from Dorsey & Whitney LLP, Attorneys for, Re: Naartjie Custom Kids, Inc., Debtor.
 - g. Notice of Citation directed to Bexar County, Texas by serving its registered agent, County Judge Nelson Wolff, Re: Miriam Jasso et al vs. Bexar County, Texas.
 - h. Letter of Representation from Law Offices of Joe A. Gamez, regarding Notice of Claim of Gustavo Hernandez.
 - i. Notice of Citation directed to County of Bexar Honorable Nelson W Wolff, Re: Arthur Rakowitz vs. Bexar County Sheriff Department et al.
 - j. Notice of Suit submitted by Arthur Rakowitz, to the Honorable Bexar County Judge Wolff.
9. Approval of Commissioners Court minutes for June 23, 2015.

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, discussed, and appropriate action taken separately.

Item(s) Brought by Commissioners Court:

(Court)

10. Ratification of a request by Commissioner Paul Elizondo, Precinct 2, for the naming and dedication of the new BiblioTech digital library located at 2003 S. Zarzamora, in honor of Dr. Ricardo Romo, President, University of Texas at San Antonio.
11. Approval of a request from County Judge Nelson W. Wolff to reappoint Gerry Telle to the Community Arenas Board to begin upon appointment and expire June 30, 2017.
12. Approval of a request from County Judge Nelson W. Wolff to reappoint John T. Montford to the Alamo Regional Mobility Authority Board to begin upon appointment and expire February 1, 2017.
13. Approval of a request from County Judge Nelson W. Wolff to reappoint Choco Meza to the Housing Authority of Bexar County Board of Commissioners to begin upon appointment and expire July 6, 2017.
14. Approval of a request by Commissioner Kevin Wolff, Precinct 3, to reappoint Charles S. (Sam) Bowker to the Center for Health Care Services Board of Directors to begin upon appointment and expire on July 7, 2017.
15. Approval of a request from Commissioner Tommy Calvert, Precinct 4, to appoint Joe Newton to the Inner City Tax Increment Reinvestment Zone. (TIRZ) Board for a term to begin upon appointment and expire on May 31, 2016, to fill the unexpired term of Aurora Sanchez.

Item(s) Brought by Sheriff's Office:

(Susan Pamerleau)

16. Acceptance of Assistance League of San Antonio's continuing donation of clothing to the Bexar County Sheriff's Office.
17. Ratification of the submission of a grant application to the U.S. Department of Justice for the Prison Rape Elimination Act (PREA) grant for the Bexar County Sheriff's Office in the amount of \$250,000 with a 100% in-kind match required; the term of the grant will be for a period of two years from October 1, 2015 through September 30, 2017; acceptance of funding if awarded.
18. Ratification of a grant application to the Texas School Safety Center, Texas State University for the solicitation entitled Tobacco Enforcement Program (TEP) FY 2016 in the amount of \$61,950 to continue efforts to enforce tobacco compliance laws; no cash match; to allow officers to work overtime to conduct Controlled Buy/Sting operations on 826 retailers throughout Bexar County; and acceptance of funding upon contract execution for contract term from September 1, 2015 to August 31, 2016.

Item(s) Brought by County Auditor:

(Susan Yeatts)

19. Authorization and approval for the County Auditor to pay routine bills from Monday, July 6, 2015 through Friday, July 17, 2015.
20. Authorization to distribute payroll, including overtime and uniform and auto allowances to be paid Wednesday, July 15, 2015.
21. Approval of bills to include claims registers for Wednesday, June 24, 2015 and Friday, June 26, 2015; Wednesday, July 1, 2015.
22. Request approval for \$68,081.93 in Tax Overpayment or Erroneous Payment Refunds due to 14 individual tax accounts for tax payments received per Section 31.11, which have been reviewed by the Auditor's Office and found to be valid.
23. 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 \$45,401. The Commissioners Court is not hereby adopting a special budget.
24. Approval of a request to establish a new change fund for the Bexar County Community Supervision and Corrections Department - for \$200.00.

Item(s) Brought by Tax Assessor - Collector:

(Albert Uresti)

25. Approval of a request for the waiver of penalty and interest, for the Bexar County taxing jurisdiction, in the amount of \$13.39 on account #19216-053-9010, Russell W. Turk, tax year(s) 2014 in accordance with Section 33.011 of the Texas Property Tax Code.
26. Approval of a request for the waiver of penalty and interest, for the Bexar County taxing jurisdiction, in the amount of \$11.25 on account #05669-000-0021, Richard Davila, tax year(s) 2014 in accordance with Section 33.011 of the Texas Property Tax Code.
27. Approval of a request for the waiver of penalty and interest, for the Bexar County taxing jurisdiction, in the amount of \$433.80 on account #04482-210-0260, Kasaihw PL, tax year(s) 2014 in accordance with Section 33.011 of the Texas Property Tax Code.
28. Approval of a request for the waiver of penalty and interest, for the Bexar County taxing jurisdiction, in the amount of \$45.94 on account #09616-021-0060, Dale Martin, tax year(s) 2014 in accordance with Section 33.011 of the Texas Property Tax Code.

Item(s) Brought by Community Resources:

(Nancy Taguacta)

29. Approval of the Intergovernmental Cooperative Agreement between Bexar County and the City of Von Ormy to provide Community Development Block Grant Program funds for the Quarterhorse Street Reconstruction Project Phase I utilizing Program Years 2011 and 2014 Community Development Block Grant funds and CDBG Reprogrammed funds for a total amount of \$525,392.46.
30. Approval of the Interlocal Agreement (ILA) between the Bexar County Purchasing Department and the Housing Authority of Bexar County to secure Procurement Services.

Item(s) Brought by Purchasing:

(Mary Salas)

31. Authorizing the execution of an agreement with Texas Towing to provide Bexar County with the purchase of vehicle towing and storage services, at no cost to the County, as requested by the Bexar County Sheriff's Office, Constable's Offices, Public Works Fleet Maintenance; and authorizing the Purchasing Agent to file the appropriate award documents for the record.
32. Ratification of awarding a delivery order to OfficeSource Ltd. (SMWBE) for the purchase of office furniture and desk systems for the Bexar County Bibliotech - San Juan Square, in the amount of \$50,317.14, as requested by the Office of the County Manager; and authorizing the Purchasing Agent to execute contract and file appropriate award documents for the record.
33. Ratification of awarding a delivery order to Tejas Premier Building Contractor, Inc. (SMWBE) in the amount of \$133,905.38 for the purchase of labor and materials necessary to provide construction services for the Interior Renovation of the Bexar County Bibliotech San Juan Square as requested by the Office of the County Manager; authorizing the Purchasing Agent to execute and file the appropriate documents for record.
34. Ratification of awarding a delivery order to Executive Information Services, Inc. for the purchase of SAS Data Integration annual software maintenance in the amount of \$77,215, as requested by the Bexar County Information Technology Department; and authorizing the Purchasing Agent to execute contract and file appropriate documents for the record.
35. Ratification granting a discretionary exemption to the competitive bidding requirements set forth in the Texas County Purchasing Act for the purpose of awarding purchase orders to Datamaxx Applied Technologies in the combined amount of \$165,550 providing for the purchase of system enhancements to Bexar County's existing Datamaxx Omnixx Enterprise Platform (OEP) to support the implementation of Omnixx Force Web, Omnixx API to support the new records management system, and CIJS integration, as requested by the Bexar County Information Technology Department; and authorizing the Purchasing Agent to execute and file the appropriate documents for record.

36. Authorizing the Purchasing Agent to advertise an Invitation for Bids to provide for the purchase of an Automated Car Washing Service on a requirements contract basis, as requested by the Bexar County Public Works Department Fleet Maintenance Division.
37. Authorizing the Purchasing Agent to advertise an Invitation for Bids to provide for the purchase of Fall Zone Material for various Bexar County Parks as requested by the Bexar County Heritage and Parks Department.
38. Granting a discretionary exemption to the competitive bidding requirements set forth in the Texas County Purchasing Act for the purpose of awarding a delivery order to Helinet Technologies to provide for the one-time purchase of three (3) video downlink portable diversity receivers, as requested by the Bexar County Sheriff's Office, in the amount of \$89,119; and authorizing the Purchasing Agent to execute and file the appropriate award documents for the record.

Item(s) Brought by Public Works:

(Renee Green)

39. Approval of an Interlocal Agreement between Bexar County and San Antonio Water System (SAWS) in the amount of \$536,997.83 to be paid by SAWS for the utility adjustments in connection with the Capital Project, Walzem Road Reconstruction Project at no cost to the County, Precinct Number 4.
40. Approval of SAWS Field Alteration Request Number 3 between Bexar County and Capital Excavation, requesting to increase contract amount by \$24,000.00 in connection with Public Works Capital Project, Bulverde Road Phase V Project at no cost to the County. Precinct Number 3
41. Approval of subdivision plat#140409 within the Extra Territorial Jurisdiction of the City of San Antonio: Luckey Ranch Unit 25, owner: Luckey Ranch Partners, LLC, located southeast of Luckey River and Montgomery Road, not within the Edwards Aquifer Recharge Zone. Precinct Number 1.
42. Approval of subdivision plat#130557 within the Extra Territorial Jurisdiction of the City of San Antonio: Waterford Park Unit 1A, owner: Daphne Development, LLC, located northeast of Talley Road and Old F.M. 471, not within the Edwards Aquifer Recharge Zone. Precinct Number 2.
43. Approval of subdivision plat#140094 within the Extra Territorial Jurisdiction of the City of San Antonio: Willis Ranch U-3A/4A/5A Enclave, owner: SA Willis Ranch Unit 3, LTD, located northwest of Bulverde Road and East Borgfeld Drive, not within the Edwards Aquifer Recharge Zone. Precinct Number 3.
44. Authorizing the sale of property struck off to Bexar County for delinquent taxes known as cause number 2014-TA1-00728; account number 031000000260; New City Block 3100 Lot 26 in the City of San Antonio, Bexar, as shown in Volume 11013, Page 2304 of the Deed and Plat Records of Bexar County, Texas; located at 511 S. Monumental for \$4,883.95 (the total amount of judgments against the property plus code compliance charges) to The Oak Glen Group, G.P. pursuant to Section 34.05(h) of the Texas Tax Code and authorizing the execution of deed. Precinct Number 4.

45. Authorizing the sale of property struck off to Bexar County for delinquent taxes known as cause number 1983-TA1-00652; account number 013020030101; New City Block 1302 Block 3 Lot E 144.84 Feet of 10 situated within Bexar County, Texas; located at 1115 N. Palmetto St. for \$10,967.74 (the total amount of judgments against the property plus code compliance charges) to Jay Flores Holdings, LLC and Ruby I. Casteel, pursuant to Section 34.05(h) of the Texas Tax Code and authorizing the execution of deed. Precinct Number 4.
46. Authorizing the sale of property struck off to Bexar County for delinquent taxes known as cause number 2004-TA1-04607; account number 013861090241; The North 51.3 Feet of Lot 24 Huberich's Subdivision situated in New City Block 01386 Block 109 in the City of San Antonio, Bexar County, Texas, as shown in Volume 00105 Page 0002 of the Deed and Plat Records of Bexar County, Texas; located at 1738 E. Commerce St.-1 for \$4,643.25 (the total amount of judgments against the property plus code compliance charges) to Moment of Truth Ministries, pursuant to Section 34.05(h) of the Texas Tax Code and authorizing the execution of deed. Precinct Number 4.
47. Order accepting the following streets and drains in the identified subdivisions for County maintenance to begin July 7, 2015:

SUBDIVISION

STREET/DRAIN

Fox Grove, Unit 14
 Plat No. 130014
 Precinct # 3

Creek River 647.91 lf
 Asphalt Width: 329.70 lf of 40' wide pavement
 318.21 lf of 28' wide pavement
 Hillbrook Park 276.44 lf
 Asphalt Width: 28'
 Silver Stream 774.84 lf
 Asphalt Width: 28'
 Sidewalk Drain "1" 7.0 lf
 Sidewalk Drain "2" 7.0 lf

Granite LLC
 Plat No. 130337
 Precinct # 1

Chive Drive 1,616.0 lf
 Asphalt Width: 40'
 Sidewalk Drain 11.0 lf

Talise de Culebra, Unit 02
 Plat No. 130308
 Precinct# 2

Culebra Way 707.5 lf
 Asphalt Width: 24' (Northbound)
 24' (Southbound)
 Shoreline Drive 1,667.1 lf
 Asphalt Width: 932.67 lf of 40' wide pavement
 734.43 lf of 28' wide pavement

Calmwater Cove 144.05 lf
Asphalt Width: 28'
Headwaters Trail 557.98 lf
Asphalt Width: 28'
Deepwell Drive 393.56 lf
Asphalt Width: 28'
Waterlily Way 170 lf
Asphalt Width: 40'
Drain "A" 178.34 lf
Drain "B" 11.0 lf
Drain "C" 11.0 lf

SUBDIVISION

Alamo Ranch, Unit 20 & 21, Phase 03
Plat No. 110380
Precinct# 1

STREET/DRAIN

La Santa Rd 786.56 lf
Asphalt Width: 40'
Sangria 2,010.17 lf
Asphalt Width: 28'
Palma Nova St 523.71 lf
Asphalt Width: 28'
Segovia Way 276.0 lf
Asphalt Width: 28'
Italica Rd. 750.0 lf
Asphalt Width: 28'
Tabernas Ln 380.34 lf
Asphalt Width: 28'
Cartagena 699.37 lf
Asphalt Width: 28'
Nova Icaria 486.8 lf
Asphalt Width: 28'
Miro 159.03 lf
Asphalt Width: 28'
Drain "B" 279.15 lf
Drain "D" 100.3 lf
Drain "E" 446.19 lf
Drain "F" 124.84 lf

Item(s) Brought by Facilities Management Department:

(Jose Torralva)

48. Authorization to award a delivery order to L. D. Tebben Company for labor and materials to repair the roof on the Southton Road Boy's Home building as requested by the Facilities Management Department in the amount of \$71,533 under TIPS/TAPS Contract # 5092712; and authorizing the Facilities Management Department to execute and file the appropriate award documents for the record.
49. Authorization to execute Professional Services Agreement (PSA) contract amendment #1 between Bexar County and JACOBS ENGINEERING GROUP, INC., in an amount not to exceed \$45,940.00 in fees and reimbursable expenses, for the architectural services related to the Bexar County South Flores Parking Garage project located at 211 South Flores Street.

Item(s) Brought by the County Manager's Office:

(David Smith)

50. Request approval of Interlocal Agreement to acquire Professional Services Agreement between Bexar County and the City of San Antonio through which the City will contract with HVS Convention, Sports & Entertainment Facilities Consulting ("HVS"), on behalf of the County and the City, to conduct an appraisal of the Toyota Field located at 5106 Edwards Dr., San Antonio, Texas at a total cost to the County of \$16,000.
51. Ratification of a check submitted to Bexar County on June 30, 2015 from the Hidalgo Foundation of Bexar County, Inc., for Bexar County BiblioTech in the amount of \$75,000 for collection development.

Item(s) Brought by Judicial Services:

(Mike Lozito)

52. Request approval of the Termination of Agreement for Professional Services between Bexar County and Integrated Forensic Laboratories (IFL) which had been performing blood-alcohol and toxicology testing for Bexar County under an agreement dated February 26, 2013 with the termination of services being at the request of the District Attorney's Office since that office is no longer utilizing the services of IFL.
53. Approval and execution of the First Amendment to the Agreement between Crosspoint to increase funding by \$7,178 to provide housing assistance to the Prostitution Prevention Program (aka Esperanza Court) participants with an amount not to exceed \$47,178. The term of the Agreement will begin September 1, 2014 through August 31, 2015 utilizing Office of the Governor Criminal Justice Division Grant# 27603-01.

INDIVIDUAL AGENDA ITEMS:

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

Item(s) Brought by Economic Development:

(David Marquez)

54. Discussion and appropriate action regarding a status update of renovations and improvements to the AT&T Center.
(Estimated Presentation Time: 10 minutes) (Melissa Shannon)

Item(s) Brought by Purchasing:

(Mary Salas)

55. Discussion and appropriate action regarding the Purchasing Agent to advertise a Request for Proposal (RFP) to provide for the purchase of professional services of a System Integrator and Implementer for the Bexar County Integrated Justice System (BCIJS) Project, as requested by the Bexar County Information Technology Department.
(Estimated Presentation Time: 10 minutes) (Mary Salas)
56. Discussion and appropriate action regarding authorizing the execution of an agreement with Inmate Calling Solutions, LLC, dba ICSolutions, to provide for the purchase of an Inmate Video Visitation System (VVS) for the Bexar County Sheriff's Office in the amount of \$2,230,193 as requested by the Bexar County Information Technology Department; and authorizing the Purchasing Agent to file the appropriate award documents for the record.
(Estimated Presentation Time: 5 minutes) (Mary Salas)
57. Discussion and appropriate action regarding authorizing the execution of a contract agreement with Davila Construction, to provide for the purchase of construction services for the Bexar County Sheriff's Office in the amount of \$3,924,807, as requested by the Bexar County Information Technology Department; and authorizing the Purchasing Agent to file the appropriate award documents for the record.
(Estimated Presentation Time: 5 minutes) (Mary Salas)

Item(s) Brought by District Attorney:

(Nicholas "Nico" LaHood)

58. Discussion and appropriate action regarding a settlement proposal in the following car accident case: Cause No. 2014-CV-01706; Allstate Fire and Casualty Insurance Company as Subrogee of Dolores Hernandez v. Bexar County and Brandon C. Garcia.
(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.

59. § 551.071 Consultation with Attorney for advice regarding:

- a. Pending or contemplated litigation or settlement offers in the following matters:
 - i. Allstate Fire and Casualty Insurance Company as Subrogee of Dolores Hernandez v. Bexar County and Brandon C. Garcia.
- 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. Mandatory Solid Waste Disposal Services in the Extraterritorial Jurisdiction of the City of San Antonio;
 - ii. Audit Report of the U.S. Department of Housing and Urban Development's Office of Inspector General.

60. § 551.074 Personnel Matters:

- a. To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee. The following individuals may be considered during this executive deliberation:
 - i. Choco Meza, Housing Authority of Bexar County
 - ii. Frank Moreno, Housing Authority of Bexar County
 - iii. Morris Spector, Housing Authority of Bexar County
 - iv. Noe Reynaldo Medina, Housing Authority of Bexar County
 - v. Hugo Gutierrez, Housing Authority of Bexar County

Posted: Thursday, July 2, 2015 at 4:30 p.m.