



**BEXAR COUNTY, TEXAS
COMMISSIONERS COURT**

NOTICE OF PUBLIC MEETING

The Bexar County Commissioners Court will meet on **Tuesday, August 23, 2016 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.

Doc# 23491 Fees: \$0.00
08/19/2016 4:40PM # Pages 7
Filed & Recorded in the Official
Public Records of BEXAR COUNTY
GERARD C. RICKHOFF COUNTY CLERK

COMMISSIONERS COURT CEREMONIAL AGENDA

1. Opening Prayer: Mycah Harris (Kevin Wolff)
2. Pledge of Allegiance (Kevin Wolff)

COMMISSIONERS COURT REGULAR AGENDA

3. CEREMONIAL ITEM(S):

- a. Presentation of a proclamation on behalf of Commissioners Court recognizing and commemorating Texas A&M University-San Antonio on becoming a comprehensive four- year university.
(Estimated Presentation Time: 10 minutes) (Court/Nelson W. Wolff)

4. TIME CERTAIN ITEMS:

- a. **10:00 a.m.:** Discussion and appropriate action regarding the Bexar County FY 2016-17 Proposed Tax Rate and Operating and Capital Budget, and placement of the proposed tax rate of \$0.30895 on the Commissioners Court agenda of September 13, 2016 meeting as an action item.
(Estimated Presentation Time: 60 minutes) (Seth McCabe)
 - b. **11:30 a.m.:** Presentation, discussion and appropriate action regarding the 2016 ad valorem property tax rate recommendation for the Bexar County Hospital District d/b/a University Health System in support of its Operating and Capital Outlook for FY 2017 and in support of its Debt Service, and authorizing a proposal to adopt the Bexar County Hospital District d/b/a University Health System tax rate on September 13, 2016.
(Estimated Presentation Time: 20 minutes) (George Hernandez)
5. Communications from citizens who signed the register to speak.

COMMISSIONERS COURT REGULAR AGENDA

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. Names of 2 additional public members to serve on the 2016 Salary Grievance Committee:
John D. Mitchell Thomas Charles Singer
 - b. Bexar County Auditor's Office Monthly Financial Report (Unaudited and Unadjusted) for the month of June 30, 2016.
8. Approval of Commissioners Court minutes for Wednesday, August 3, 2016 and Tuesday, August 9, 2016.

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 the Commissioners Court:

(Court)

9. Approval of a request from Commissioner Kevin Wolff, Precinct 3, to reappoint Robert Engberg to the Hospital District Board of Managers effective September 1, 2016 for a term of two years to expire August 31, 2018.

Item(s) Brought by County Manager:

(David Smith)

10. Approval of a Personal Services Agreement between Bexar County and Ashley Eklof for BiblioTech Head Librarian service provisions for a period of three months, in an amount not to exceed \$7,668.00, to commence August 16, 2016 and terminate November 16, 2016, with an option for one (1) additional three (3) month extension.
11. Authorization for the County Manager to negotiate an Interlocal Agreement with the City of San Antonio in an amount not to exceed \$25,000 to provide for a cost sharing of an operation study of the Alameda Theater.
12. Approval for the County Judge to sign applications submitted by the Bexar County Constable Precincts 2, 3 and 4 to participate in the Texas 1033 Surplus Property Program.

Item(s) Brought by County Auditor:

(Susan Yeatts)

13. Authorization and approval for the County Auditor to pay routine bills from Monday, August 22, 2016 through Friday, September 2, 2016.
14. Authorization to distribute payroll, including overtime, uniform allowances, and auto allowances to be paid Wednesday, August 31, 2016.
15. Approval of bills to include claims registers for Wednesday, August 10, 2016; Friday, August 12, 2016; Wednesday, August 17, 2016; and Friday August 19, 2016.
16. Request approval for \$28,031.78 in refunds for payments received by the Tax Assessor-Collector's Office in the form of tax overpayments and erroneous payments made by individuals, businesses, corporations, etc. due to 8 individual tax accounts per Section 31.11, which have been reviewed by the Auditor's Office and found to be valid.
17. Approval of Tax Assessor-Collector's Report of Taxes collected in July 2016 and approval of the order transferring tax collections for the month of July 2016 from unallocated receipts.

Item(s) Brought by Purchasing:

(Mary Quinones)

18. Granting a discretionary exemption to the competitive bidding requirements for the purpose of awarding a contract to TimeKeeping Systems, Inc. for the purchase and implementation of a guard tour system as requested by the Sheriff's Office in the amount of \$69,937.22; and authorizing the Purchasing Agent to execute and file the appropriate award documents for record.

19. Authorizing the removal and sale of one (1) surplus firearm weapon to retired Bexar County Sheriff's Office Investigator Richard R. Buchanan in the amount of \$414, 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.
20. Authorizing the removal and sale of one (1) surplus firearm weapon to retired Bexar County Sheriff's Office Deputy Roland Cuevas in the amount of \$414, 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.
21. Rescinding the sale of one (1) firearm weapon to retired Bexar County Sheriff's Office Deputy Richard Escqueda in the amount of \$414 and reinstating weapon into the inventory as requested by the Sheriff's Office; and authorizing the Purchasing Agent to file the appropriate documents for record.

Item(s) Brought by Community Resources:

(Eddie Ortega)

22. Appointment of Israel Cisneros to be a Bexar County Assistant Veterans Service Officer per Texas Government Code, Chapter, 434 Subchapter B, Section 434.033
23. Approval and execution of the Intergovernmental Cooperative Agreement between Bexar County and the City of Von Ormy to provide funds for the Quarterhorse Street Reconstruction Project Phase II utilizing Program Year (PY) 2015 Community Development Block Grant (CDBG) funds in the amount of \$200,000.
24. Approval and execution of the Subrecipient Agreement between St. Peter – St. Joseph Children's Home for the Homelessness Prevention and Rapid Re-Housing Program utilizing Program Year 2015 Emergency Solution Grant Funds in the amount of \$75,000.

Item(s) Brought by Public Works:

(Renee Green)

25. 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 2017 as provided under Section 502.401, 502.402, and 502.403 of the Texas Transportation Code.
26. Approval of SAWS Field Alteration Request Number 1 between Bexar County and Curran Contracting Company requesting to increase the contract amount by \$2,886.00 in connection with Public Works Capital Project, W.T. Montgomery Road Reconstruction to be paid by SAWS at no cost to the County. Precinct Number 1.
27. Approval of the Field Alteration Request Number 2 between Bexar County and EZ Bel Construction, LLC, (SMWBE) requesting to increase the contract amount by \$23,156.53 in connection with Public Works Capital Project, Alamo Ranch Traffic Signals. Precinct Number 1.
28. Approval to execute a Field Alteration Request for final recapitulation of project costs between Bexar County and Prudent Construction Services, Inc. (SMWBE), in connection with Flood Control Capital Project, Shepherd Road Mitigation, MR8, Purchase Order No. 100903. The recapitulation shows a decrease in the amount of (\$90,714.93) for a final construction amount of \$259,969.39. Precinct Number 1.
29. Approval of subdivision plat#150124 within the Extra Territorial Jurisdiction of the City of San Antonio: Redbird Ranch Unit 8A, owner: Continental Homes of Texas, L.P., located northeast of Reeves Loop and Hollimon Parkway, not within the Edwards Aquifer Recharge Zone. Precinct Number 1.

30. Approval of subdivision plat#160032 within the Extra Territorial Jurisdiction of the City of San Antonio: Woodlake Bluffs Enclave, owner: Clark Realty & Associates, LLC, located southwest of Woodlake Parkway and Woodlake Club Drive, not within the Edwards Aquifer Recharge Zone. Precinct Number 4.
31. Approval of subdivision plat#160108 within the Extra Territorial Jurisdiction of the City of San Antonio: Park Place Unit 1A Phase II, owner: Marbach Development LLC, located northeast of Marbach Road and River Crest, not within the Edwards Aquifer Recharge Zone. Precinct Number 1.
32. Approval of subdivision plat#150271 within the Extra Territorial Jurisdiction of the City of San Antonio: Alamo Ranch Unit 15B, owner: Continental Homes of Texas, L.P., located northwest of Calaveras Way and Panhandle Cove, not within the Edwards Aquifer Recharge Zone. Precinct Number 1.
33. Authorizing the purchase of a Permanent Drainage Easement being a 0.104 of an acre, or 4,539 square feet tract of land, being out of Lot 5, Block 3, of the Evans Valley Acres subdivision, recorded in Volume 6400, Pages 185 – 188 of the Deed and Plat Records of Bexar County, Texas, said Lot 5 conveyed to Terry A. Birkett and Allison J. Smith by instrument recorded in Volume 13195, Pages 471 – 474 of the Official Public Records of Bexar County, Texas, all within the C.B. 4526A of the City of Helotes, Bexar County, Texas, from Terry A. Birkett and Allison J. Smith, Owners of Record, in the amount of \$7,600.00, total appraised value including administrative settlement, plus applicable closing costs. French Creek Tributary NWWC (LC23) Flood Control Project. Precinct Number 3.
34. Approval of a variance request to Article 4, Section D(4) and Article 4, Section D(5)(d) of the Bexar County Flood Damage Prevention Court Order for Willis Ranch Unit 3B (Enclave) plat # 150219. Precinct Number 3
35. Authorizing the purchase of a Permanent Drainage Easement being a 0.017 of an acre, or 750 square feet tract of land, being out of Lot 5, Block 3 of the Helotes Park Subdivision, recorded in Volume 4900, Pages 231 – 239 of the Deed and Plat Records of Bexar County, Texas, said Lot 5 conveyed to Julie G. Hoffman by instrument recorded in Volume 14989, Pages 193 – 194 of the Official Public Records of Bexar County, Texas, from Julie G. Hoffman, Owner of Record, in the amount of \$1,830.00, total appraised value including administrative settlement for damages not included in appraisal, plus applicable closing costs. French Creek Tributary NWWC (LC23) Flood Control Project. Precinct Number 3.
36. Order accepting the following streets and drains in the identified subdivisions for County maintenance to begin August 23, 2016:

SUBDIVISION

STREET/DRAIN

Mirabel, Unit 01
 Plat No. 140352
 Precinct #3

Drain “A” 11.0 lf
 Drain “B-1” 108.0 lf
 Drain “B-2” 60.0 lf

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

STOP ZONES TO BE ESTABLISHED:

Precinct Number 2

Tausch Farms Unit 5 Plat #CP201504

The Stop Sign shall be on Gallop Vale at its intersection with Mustang Pass. (1 stop)

The Stop Sign shall be on Anhalt Path at its intersection with Mustang Pass. (1 stop)

The Stop Sign shall be on Arkey Avenue at its intersection with Mustang Pass. (1 stop)

The Stop Signs shall be on Roaming Hollow at its intersection with Mustang Pass. (2 stops)

The Stop Sign shall be on Creager Park at its intersection with Mustang Pass. (1 stop)

The Stop Sign shall be on Mustang Pass at its intersection with Shaenfield Road. (1 stop)

Item(s) Brought by Economic Development:

(David Marquez)

38. Approval of a grant agreement with the San Antonio Economic Development Foundation in the amount of \$85,000.
39. Authorization and approval to pay an amount not to exceed \$13,980.00 to Jeff Lockhart to conduct CompTIA Network+ exam preparation courses.

Item(s) Brought by Facilities Management:

(Dan Curry)

40. Approval of a delivery order to Jamail & Smith, in the amount of \$240,914.85 for Construction Services in connection with the Renovation of offices for early intervention programs supporting the Baby Court on the 3rd floor of the Bexar County Courthouse.

INDIVIDUAL AGENDA ITEMS:

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

Item(s) Brought by the Commissioners Court:

(Court)

41. Discussion and appropriate action regarding approval of the short list of Artist finalists for the Tri-Centennial Public Art Installation at the San Pedro Creek Project and authorization to proceed with the RFP phase of the selection process, and payment of a stipend of \$5,000 to each Artist finalist.
(Estimated Presentation Time: 10 minutes) (Paul Elizondo)
42. Discussion and appropriate action on a resolution to support Alamo Area MPO (AAMPO) and Capital Area MPO (CAMPO) board decisions on spending Surface Transportation Program – Metropolitan Mobility (STP-MM) funds, transferring Lone Star Rail District’s (LSRD) current rail planning duties to AAMPO and CAMPO, and modifying the current I-35 expansion plan to include passenger rail.
(Estimated Presentation Time: 10 minutes) (Kevin Wolff)

Item(s) Brought by Tax Assessor - Collector:

(Albert Uresti)

43. Submission of 2016 Effective and Rollback Tax Rates for Bexar County as calculated by the office of the 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 County Manager:

(David Smith)

44. Discussion and appropriate action regarding a Licensing Agreement between Bexar County BiblioTech and VIA Metropolitan Transit for the use of VIA facilities for BiblioTech access and for mutual participation in the “Ride and Read” program and for a term of one year from the execution date.
(Estimated Presentation Time: 10 minutes) (Laura Cole)

Item(s) Brought by Economic Development:

(David Marquez)

45. Presentation, discussion and appropriate action regarding an Incentive Application as submitted by Mission DG, LLC.
(Estimated Presentation Time: 10 minutes) (David Marquez)

46. Presentation, discussion and appropriate action regarding an Innovation Application as submitted by Dialpad, Inc.
(Estimated Presentation Time: 10 minutes) (David Marquez)

Item(s) Brought by County Auditor:

(Susan Yeatts)

47. 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 July 2016. Notification of payment to those employees who have accumulated hours in excess of the FLSA maximum level for an estimated amount of \$73,693.
(Estimated Presentation Time: 5 minutes) (Susan Yeatts)

Item(s) Brought by District Attorney:

(Nicholas "Nico" LaHood)

48. Discussion and appropriate action regarding exercising an option to terminate a lease between Packard Venture L.P. and Bexar County.
(Estimated Presentation Time: 5 minutes) (Nicholas "Nico" LaHood)

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.

49. § 551.071 Consultation with Attorney for advice regarding:
- a. Pending or contemplated litigation or settlement offers in the following matters:
 - i. Adam Novodvorschi v. Bexar County Adult Detention Center Officers Vaca and Laredo; Civil Action No. 5:15-CV-408-PM in the United States District Court for the Western District of Texas;
 - ii. Bexar County Civil Service Commission, Appellant V. Carmella Guerrero, Appellee (pending before the Fourth Court of Appeals, San Antonio, Texas).
 - 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. The possible abolishment of part-time Justice of the Peace positions;
 - ii. Mental health services provided by the statutory probate court associate judge position and differences with a mental health associate judge created under the Texas Health and Safety Code;
 - iii. Lowes v. Bexar Appraisal District;
 - iv. Exercising an option to terminate a lease between Packard Venture L.P. and Bexar County.

Posted: Friday, August 19, 2016 at 4:30 p.m.