



BEXAR COUNTY, TEXAS COMMISSIONERS COURT

NOTICE OF PUBLIC MEETING

The Bexar County Commissioners Court will meet on **Tuesday, February 7, 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: Rev. Henry Bell (Court/Tommy Calvert)
2. Pledge of Allegiance (Court/Tommy Calvert)

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

- a. Presentation of a service pin recognizing Bexar County employees for 25 years of service.

Name	Date Employed	Years	Office/Department
Nancy Taguacta	12/30/1991	25	Economic and Community Development

(Estimated Presentation Time: 5 minutes)

(Court)

4. **SPECIAL PRESENTATION ITEM:**

- a. Presentation and approval to accept a donation from the Hidalgo Foundation of Bexar County to BiblioTech in the amount of \$100,000 to provide funding for content and programming.

(Estimated Presentation Time: 5 minutes)

(Tracy Wolff)

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

- a. **11:00 a.m.** – Presentation, discussion and appropriate action regarding Workforce Solutions Alamo Local Plan for the Alamo Workforce for Program Year 2017-2020.

(Estimated Presentation Time: 10 minutes)

(David Marquez)

- b. **11:15 a.m. or immediately following item 5(a):** - Discussion and appropriate action regarding Bexar County Workforce Initiatives.

(Estimated Presentation Time: 10 minutes)

(David Marquez)

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. Bexar County Auditor's Office Monthly Financial Reports for the months of October and November for FY 2016 (Unaudited and Unadjusted).
 - b. Stan Ramos, Constable Pct. 4 – State Asset Forfeiture Budget and Law Enforcement Officers Special Education (LEOSE) Budget FY2016-2017.
 - c. Notice of Claim regarding the death of Jesus Jose Lopez submitted by Teresita Lopez.
 - d. Notice of Citation Directed to Bexar County Texas by Serving its Registered Agent, Judge Nelson W. Wolff – Re: Kenneth R. Janak vs. Steven N. Cartwright et al.

8. Approval of Commissioners Court minutes for January 24, 2017.
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, discussed, and appropriate action taken separately.

Item(s) Brought by Commissioners Court:

(Court)

10. Approval of a request from Bexar County Judge Nelson Wolff to appoint Marcello Martinez to the Bexar County Historical Commission to commence upon approval and expire on December 31, 2018.
11. Approval of a request from Commissioner Paul Elizondo, Precinct 2 to appoint James L. Lawson to the Technical Advisory Committee for Persons with Disabilities to begin upon appointment and expire on September 30, 2019.
12. Approval of a request from Commissioner Kevin A. Wolff, Precinct 3 to appoint Katy Stout to replace Mary Kay Delavan on the Child Welfare Board to serve a term to begin upon appointment and expire on December 31, 2019.

Item(s) Brought by County Manager:

(David Smith)

13. Approval of a request to reappoint Louis C. Lopez III as the Bexar County Fire Marshal, in compliance with Local Government Code 352, § 352.011(b), for a two year term, beginning on February 9, 2017.

Item(s) Brought by District Attorney:

(Nicholas "Nico" LaHood)

14. Approval sought for the submission of an electronic grant application to the Office of the Governor, Criminal Justice Division for the Bexar County Criminal District Attorney's Human Trafficking Unit Program in the amount of \$100,000; the term of the grant will be from October 1, 2017 through September 30, 2018; authorization of the County Judge to execute a Resolution to effect this approval; and acceptance of funds upon award. No Bexar County match is required.
15. Approval sought for the submission of an electronic grant application to the Office of the Governor, Criminal Justice Division Family Justice Center Foundation for continuation funding of Project DOVE (Dream Of Violence-free Empowerment) for a period of two years, October 1, 2017 through September 30, 2018 in the amount of \$124,674.27 with in-kind match of \$42,280 from the Bexar County Criminal District Attorney's Office-Family Justice Center; and acceptance and approval of funding upon award.

Item(s) Brought by Sheriff's Office:

(Javier Salazar)

16. Request approval of the submission of an electronic grant application to the Governor's Office for Criminal Justice Assistance funding for Active Shooter Preparedness Equipment (Rifle Plates w/ Carrier) for the Bexar County Sheriff's Office in the amount of \$73,080; approval of a resolution, and acceptance of grant funding upon award. There is no local match and the term of the grant is from October 1, 2017 through September 30, 2018.
17. Authorizing the Bexar County Auditor to pay bill(s) from Fiscal Year 2016 and 2017 invoice(s) in the amount of \$23,965.38 for services.

Item(s) Brought by Civil District Court:

(Civil District Court)

18. Approval of a professional services contract between Bexar County and Stephanie Ramos for the time of December 1, 2016 through September 30, 2017, with total expenditures not exceeding \$30,888, to provide group and individual counseling and assist in case staffing for teenage females who are participating in the Children's Court PEARLS Court Program funded by a CJD grant.
19. Approval of a submission of an electronic grant application to the Governor's Office for Drug Court Funding for the Bexar County Family Drug Court (Grant Number: 17367-14) in the amount of \$358,365 approval of a resolution, and acceptance of funds if awarded. There is no local match requirement and the term of the grant is from September 1, 2017 through August 31, 2018.
20. Approval of a submission of an electronic grant application to the Office of the Governor for Victim Assistance – Victims of Crime Act Formula Grant Program for the PEARLS Court of the 150th Civil District Court in the amount of \$387,501, which encompasses an allocation of \$279,873 in State Funds, and a minimum required in-kind County contribution of \$107,628; approval of a resolution and acceptance of grant funding upon award. The term of the grant is from September 1, 2017 through August 31, 2019.
21. Approval of a professional services contract between Bexar County and Family Services of San Antonio, Inc., for the time period of January 1, 2017 through September 30, 2017, with total expenditures not exceeding \$51,390, to provide a clinician to secure the development and operation of a program to provide services for individuals and parents who are participating in the Children's Court Early Intervention Court Program which assists in reunifying infants and toddlers with responsible parents who are equipped to form a healthy attachment between parent and child. The monies to be used pursuant to this Agreement were donated by the Baptist Foundation to the Hidalgo Foundation and have been received by COUNTY from a Hidalgo Foundation donation.
22. Approval of a professional services contract between Bexar County and The Children's Shelter for the time period of December 1, 2016 through August 31, 2017, with total expenditures not exceeding \$68,115, to secure the development and operation of a program to provide psychotherapy services for individuals who are participating in the Children's Court Early Intervention Court Program. The monies to be used pursuant to this Agreement have been 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.
23. Approval of a professional services contract between Bexar County and Voices for Children of San Antonio for the time period of October 1, 2016 through August 31, 2017, with total expenditures not exceeding \$142,616, to secure the development and operation of a program of training and to coordinate the services of individuals and agency providers who are participating in the Children's Court Early Intervention Court Program. The monies to be used pursuant to this Agreement have been 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.

Item(s) Brought by Tax Assessor-Collector:

(Albert Uresti)

24. Approval of a request for the waiver of penalty and interest, for the Bexar County taxing jurisdiction, in the amount of \$1,601.40 on account #16385-040-0090, Urzula Paola Reyes Velasco, tax year(s) 2015 in accordance with Section 33.011 of the Texas Property Tax Code.
25. Approval of a request for the waiver of penalty and interest, for the Bexar County taxing jurisdiction, in the amount of \$44.79 on account #13879-001-0060, G L Singer, tax year(s) 2015 in accordance with Section 33.011 of the Texas Property Tax Code.

Item(s) Brought by County Auditor:

(Susan Yeatts)

26. Authorization and approval to pay routine bills from Monday, February 6, 2017 through Friday, February 17, 2017.
27. Approval of bills to include claims registers for Wednesday January 25, 2017 and Friday, January 27, 2017; Wednesday, February 1, 2017 and Friday, February 3, 2017.
28. Authorization to distribute upcoming payroll, to include overtime, uniform allowances, and auto allowances to be paid on Wednesday, February 15, 2017.
29. Request approval according to Section 31.11, for \$109,333.10 in refunds for payments received by the Tax Assessor-Collector's Office in the form of tax overpayments made on 18 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.
30. 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 \$2,966. The Commissioners Court is not hereby adopting a special budget.
31. 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 \$73,064. The Commissioners Court is not hereby adopting a special budget.

Item(s) Brought by Purchasing:

(Mary Quinones)

32. Awarding a contract to Brandt Companies, LLC providing for the purchase of Construction Services for the replacement of the Bexar County Courthouse outside air unit in the amount of \$387,259 as requested by the Facilities Management Department, to include the appropriate budgetary transfer; and authorizing the Purchasing Agent to execute and file the appropriate award documents for the record.
33. Granting a discretionary exemption to the competitive bidding requirements set forth in the Texas County Purchasing Act for the purpose of awarding a contract on a sole source basis to Veripic, Inc., for the purchase of video, audio, and document evidence management software maintenance in relation to the District Attorney's eDiscovery System beginning April 1, 2017 and ending March 31, 2018 in the amount of \$71,400, and providing for four one-year renewal options as requested by the Information Technology Department; and authorizing the Purchasing Agent to execute and file the appropriate award documents for record.
34. Awarding a service contract to the lowest and best qualified bid submitted by Waste Management of Texas, Inc., to provide Bexar County with the purchase of Waste Hauling and Recycling Services for the period beginning upon award and ending February 1, 2020, in the estimated annual amount of \$368,448; and providing for two one-year options for renewal as requested by Facilities Management; 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)

35. Approval and authorization for the Economic Development Department to pay an invoice as submitted by Tech Bloc in the amount of \$20,000 for the creation of a Chief Talent Recruitment Officer.
36. Approval of a Grant Agreement with Codeup, LLC in an amount not to exceed \$28,800.
37. Approval of a Grant Agreement with Patriot Boot Camp in an amount not to exceed \$50,000.

38. Authorization and approval to pay an amount not to exceed \$21,372 to CyberTexas Foundation to provide industry standard certifications (CompTIA, Cisco and Linux) testing to high school students.
39. Request approval of the Tax Abatement termination letter from Mission Solar Energy dated January 20, 2017 and accept the recapture amount of Sixty-Four Thousand One Hundred Eight-Six Dollars and Ninety Three cents (\$64,186.93), which represents 100% of the taxes abated under the Agreement.
40. Approval of contract Amendment #3 for an increase in funds totaling \$19,300 with the Alamo Area Resource Center for services funded under FY2016-2017 Ryan White Minority AIDS Initiative (MAI) Funds for the contract period beginning March 1, 2016 through February 28, 2017.
41. Approval of contract Amendment #2 for a decrease in funds totaling \$15,300 with the Centro Med d/b/a El Centro del Barrio for services funded under FY2016-2017 Ryan White Minority AIDS Initiative (MAI) Funds for the contract period beginning March 1, 2016 through February 28, 2017.
42. Approval of contract Amendment #2 for a decrease in funds totaling \$4,000 with the BEAT AIDS for services funded under FY2016-2017 Ryan White Minority AIDS Initiative (MAI) Funds for the contract period beginning March 1, 2016 through February 28, 2017.

Item(s) Brought by Public Works:

(Renee Green)

43. Approval to negotiate with the following firms selected for Public Works Capital Improvement Program Construction Inspection Services:
 - RH Shackelford, Inc. (SBE and VBE)
 - Civil Engineering Consultants (SBE)
 - Freese and Nichols, Inc.
44. Approval of the Professional Services Agreement between Bexar County and Burge Martinez Consulting, Inc. (SMWBE), in the amount of \$8,470 for Quality Assurance Construction Material Testing Services in connection with Flood Control Capital Project, Medio Creek – Sunset Subdivision Drainage Improvements, MR32, Precinct 1.
45. Approval of the Assignment of Construction Material Testing Services Agreement from HVJ Associates, Inc., (SMWBE) to HVJ South Central Texas – M&J, Inc. (SMWBE) for Perrin Beitel Bridge Expansion, SC9, Purchase Order No. 11577092, Precinct 4.
46. Approval of SAWS Field Alteration Request Number 2 between Bexar County and J3 Company, LLC, requesting a change in scope to the contract with an increase in the amount of \$30,915.15 to be paid by SAWS, at no additional cost to Bexar County, in connection with Flood Control Capital Project, Knoll Creek, SC4, Purchase Order No. 4229484. Precincts 3 and 4.
47. Approval of Change Order Request Number 1 between Bexar County and Curran Contracting Co. requesting to increase contract amount by \$7,122.30 in connection with the FM 471 (Culebra Road) Pass Through Finance Project. Precinct Number 1 and 2.
48. Approval of subdivision plat#160380 within the Extra Territorial Jurisdiction of the City of San Antonio: Champions Landing Unit 1, owner: CW - Cagnon, LLC, located southwest of Battlecry and Jazzstar, not within the Edwards Aquifer Recharge Zone. Precinct Number 1.
49. Approval of subdivision plat#150227 within the Extra Territorial Jurisdiction of the City of San Antonio: Glenloch Farms Unit 3, owner: Tenotex Partners, Inc., located southwest of FM 1516 and Binz Engleman Road, not within the Edwards Aquifer Recharge Zone. Precinct Number 4.
50. Approval of subdivision plat#160112 within the Extra Territorial Jurisdiction of the City of San Antonio: Kinder West Unit 1 Enclave, owner: LFV Properties, LTD, located northwest of Bulverde Road and Kinder Parkway, not within the Edwards Aquifer Recharge Zone. Precinct Number 3.

51. Approval of subdivision plat#160363 within the Extra Territorial Jurisdiction of the City of San Antonio: Westpointe East Unit 22L, owner: WPE Ventures, LLC, located southwest of Tower Creek and Tower Forest, not within the Edwards Aquifer Recharge Zone. Precinct Number 1.
52. Approval of subdivision plat#160532 within the Extra Territorial Jurisdiction of the City of San Antonio: Stevens Ranch Commercial Unit C1, owner: Cumberland Potranco Joint Venture, located northeast of Potranco Road – FM 1957 and SH 211, not within the Edwards Aquifer Recharge Zone. Precinct Number 1.
53. Approval of subdivision plat#160468 within the Extra Territorial Jurisdiction of the City of San Antonio: Valencia Park Phase B Enclave, owner: Meritage Homes of Texas, LLC, located northwest of Recanto and Borgfeld Road, not within the Edwards Aquifer Recharge Zone. Precinct Number 3.
54. Approval of subdivision plat#160123 within the Extra Territorial Jurisdiction of the City of San Antonio: Ashton Park Unit 4 Enclave, owner: Lennar Homes of Texas Land and Construction LTD, located southeast of Stagehand Drive and Sebastian Farm, not within the Edwards Aquifer Recharge Zone. Precinct Number 1.
55. Authorizing the sale of property struck off to Bexar County for delinquent taxes known as cause number 2007-TA1-01024 and 2015-TA1-00420; account number 079360140510; New City Block 7936 Block 14 Lots 51 and 52 Sunset Place number 2 in the City of San Antonio, Bexar County, Texas, as shown in Volume 00368, Page 0089 of the Deed and Plat Records of Bexar County, Texas; located at 1307 Brighton Street for \$41,533.59 (the total amount of judgments against the property) to Thomas Casias, pursuant to Section 34.05(h) of the Texas Tax Code and authorizing the execution of deed. Precinct Number 1.

Item(s) Brought by Judicial Services:

(Mike Lozito)

56. Approval of a submission of an electronic grant application to the Governor’s Office, Criminal Justice Division (CJD) for the solicitation entitled “Prostitution Prevention Program” (Grant Number: 27603-04) for the continuation of the Esperanza Program in the amount of \$320,739; approval of a resolution, and acceptance of funds if awarded. There is no local match requirement and the term of the grant is from September 1, 2017 through August 31, 2018.
57. Approval of a submission of an electronic grant application to the Governor’s Office for Criminal Justice Division funding for the Bexar County Judicial Intake and Assessment Diversion Program (Grant Number: 25769-06) in the amount of \$100,000, approval of a resolution, and acceptance of funds if awarded. There is no local match and the term of the grant is from October 1, 2017 through September 30, 2018.
58. Approval of a submission of an electronic grant application to the Governor’s Office for Drug Court Funding for the Bexar County Veterans Treatment Court (Grant Number: 23902-07) in the amount of \$146,872, approval of a resolution, and acceptance of funds if awarded. There is no local match requirement and the term of the grant is from September 1, 2017 through August 31, 2018.
59. Approval of a submission of an electronic grant application to the Governor’s Office for Drug Court Funding for the Bexar County Adult Drug Court (Grant Number: 20470-10) in the amount of \$495,919, approval of a resolution, and acceptance of funds if awarded. The term of the grant is from September 1, 2017 through August 31, 2018.

INDIVIDUAL AGENDA ITEMS:

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

Item(s) Brought by County Manager:

(David Smith)

60. Discussion and appropriate action regarding Bexar County's Legislative Program and the 85th Session of the Texas Legislature.

(Estimated Presentation Time: 10 minutes)

(Melissa Shannon)

61. Discussion and appropriate action regarding San Pedro Creek Restoration project including the following:

a. A status update in the ongoing design and construction; and

b. A review of the proposed Interpretive Program Plan to be incorporated into the segment of the Creek that extends from the tunnel inlet to Houston Street.

(Estimated Presentation Time: 10 minutes)

(Tony Canez)

Item(s) Brought by Facilities Management:

(Dan Curry)

62. Discussion and appropriate action regarding a proposed new County parking garage located at 126 E. Nueva.

(Estimated Presentation Time: 10 minutes)

(Dan Curry)

Item(s) Brought by Purchasing:

(Mary Quinones)

63. Discussion and appropriate action awarding a contract to the lowest and best qualified bid submitted by Texas Sterling Construction Company to provide for the purchase of construction services for the Borgfeld Drive Phase II Project, in Precinct 3, in the amount of \$8,321,647.99, as requested by the Public Works Department; and authorizing the Purchasing Agent to execute and file the appropriate award documents for the record.

(Estimated Presentation Time: 5 minutes)

(Mary Quinones)

64. Discussion and appropriate action regarding awarding a contract to the lowest and best qualified bid submitted by Yantis Company to provide for the purchase of construction services for the Medio Creek – Sunset Subdivision Drainage Improvements (MR-32) Project in Precinct 1, in the amount of \$2,621,610.55 as requested by the Public Works Department; and authorizing the Purchasing Agent to execute and file the appropriate award documents for record.

(Estimated Presentation Time: 5 minutes)

(Mary Quinones)

65. Discussion and appropriate action regarding the renewal of an existing agreement with Aramark Correctional Services, LLC to provide for the purchase of food services for the period of February 1, 2017 through January 31, 2018, as requested by the Bexar County Sheriff's Office in the estimated annual amount of \$3,454,795; and authorizing the Purchasing Agent to execute and file the appropriate award documents for the record.

(Estimated Presentation Time: 5 minutes)

(Mary Quinones)

Item(s) Brought by Information Technology:

(Mark Gager)

66. BCIT transformation presentation, discussion, and appropriate action regarding the current state and future direction of BCIT to include significant aspects of people, processes, and technology.

(Estimated Presentation Time: 30 minutes)

(Mark Gager)

Item(s) Brought by District Attorney:

(Nicholas "Nico" LaHood)

67. Discussion and appropriate action regarding the submission of an electronic grant application to the Office of the Governor, Criminal Justice Division for the Bexar County Criminal District Attorney's Victim Assistance Early Intervention Program in the amount of \$444,719.52; the term of the grant will be from October 1, 2017 through September 30, 2018; authorization of the County Judge to execute a Resolution to effect this approval; and acceptance of funds upon award. Grant match in the amount of \$111,180 will be provided through in-kind volunteer services and indirect costs. No Bexar County cash match required.

(Estimated Presentation Time: 5 minutes)

(Juanita Vasquez-Gardner)

68. Discussion and appropriate action regarding a settlement proposal in the following litigation: In Re Olmos Equipment Inc; Cause 16-51834 in bankruptcy.

(Estimated Presentation Time: 5 minutes)

(Ed Schweningen)

69. Discussion and appropriate action regarding a settlement proposal in the following litigation: Yumei You v. Sheriff's Deputy Eric Richards and Bexar County, Texas.

(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.

70. § 551.071 Consultation with Attorney for advice regarding:

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

- i. James W. Myart, Jr. v. Nelson Wolff, Bexar County Judge, in his official capacity Bexar County, MHMR, Dr. Jane Doe, Bexar County Sheriff, in Her Official Capacity and Bexar County Sheriffs John Does, 1-30, Susan Pamerleau; and
- ii. In Re Olmos Equipment Inc; Cause 16-51834 in bankruptcy; and
- iii. Yumei You v. Sheriff's Deputy Eric Richards and Bexar County, 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. CMAR Agreement between Sundt/Davila JV and San Antonio River Authority relating the San Pedro Creek Improvement Project.

Posted: Friday, February 3, 2017 at 5:00 p.m.