

BEXAR COUNTY, TEXAS COMMISSIONERS COURT

NOTICE OF PUBLIC MEETING

The Bexar County Commissioners Court will meet on **Tuesday, February 21, 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: Dwayne Andrew Robinson (Court/Nelson W. Wolff)
2. Pledge of Allegiance (Court/Nelson W. Wolff)
3. **CEREMONIAL ITEM(S):**
 - a. Presentation of a Proclamation celebrating the 222nd birthday of Jose Antonio Navarro, and also recognizes and celebrates the designation of the Casa Navarro State Historic Site as a National Historic Landmark.
(Estimated Presentation Time: 5 minutes) (Court/Paul Elizondo)
 - b. Presentation of a Proclamation on behalf of Commissioners Court recognizing February 21, 2017 as “San Antonio Men’s Senior Baseball League Day.”
(Estimated Presentation Time: 5 minutes) (Court/Nelson W. Wolff)
 - c. Presentation of a Proclamation on behalf of Commissioners Court recognizing March 4, 2017 as “St. Luke Men’s Club Wild Game Dinner Day.”
(Estimated Presentation Time: 5 minutes) (Court/Nelson W. Wolff)
 - d. Presentation of a proclamation to the San Antonio Chapter of the National Association of Women in Construction (NAWIC) recognizing March 5-11, 2017 as “Women in Construction Week.”
(Estimated Presentation Time: 5 minutes) (Court/Tommy Calvert)
 - e. Presentation of a proclamation to the National Women and Girls HIV/AIDS Awareness Day Committee, recognizing March 10, 2017 as “National Women and Girls HIV/AIDS Awareness Day.”
(Estimated Presentation Time: 5 minutes) (Court/Tommy Calvert)
4. **SPECIAL PRESENTATION ITEM:**
 - a. Presentation of a Report by the Boy Scouts of America Alamo Area Council to Commissioners Court regarding their annual accomplishments.
(Estimated Presentation Time: 5 minutes) (Thomas Guevara/Job Keith)
5. **TIME CERTAIN ITEM(S):**

11:00 a.m. – Presentation discussion and appropriate action regarding the following:

 - a. Approval of the Interlocal Agreement for the implementation of The Southern Edwards Plateau – Habitat Conservation Plan (SEP-HCP) between the City of San Antonio and Bexar County and appointment of the Bexar County Parks Section Chief, Bexar County Development Services Engineer and Bexar County Environmental Engineer as Bexar County representatives to the SEP-HCP Coordinating Committee.
 - b. Approval of an amendment to extend the Consulting Services Agreement with Bowman Consulting Group, Ltd. agreement until February 28, 2018 to assist with implementing the Southern Edwards Plateau Habitat Conservation Plan (SEP-HCP) in the amount not to exceed \$150,000.
(Estimated Presentation Time: 15 minutes) (Renee Green)

- c. **11:30 a.m.:** Presentation of the 2nd Annual San Antonio 90 Second Newbery Screening, held January 21, 2017, at the Charlene McCombs Empire Theatre in San Antonio.
(Estimated Presentation Time: 15 minutes) (Laura Cole)

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. Lease Agreement between Bexar County and the Bexar County Criminal District Attorney's Office, acting for and on behalf of the Bexar County Family Justice Center for leased space, approved November 15, 2016.
 - b. Master Agreement, ERAD-Prepaid Rider to Master Agreement and Deposit Authorization between Bexar County and ERAD Group, Inc. a Texas Corporation, approved December 6, 2016.
 - c. Citation Directed to David Smith, Re: James W Myart Jr vs. Nelson Wolff et al.
 - d. Citation Directed to Bexar County by Serving Bexar County Judge, Mr. Nelson W. Wolff, Re: Toni Serene vs. Community Arena Management et al.
8. Approval of Commissioners Court minutes for February 7, 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 County Manager:

(David Smith)

10. Approval of a request from the Small Business & Entrepreneurship Department for the County Auditor to pay for services for the 16th Annual Small, Minority, Women and Veterans Business Contracting Conference to the Coliseum Advisory Board for a total amount of \$84,377.95.

Item(s) Brought by Sheriff's Office:

(Javier Salazar)

11. Approval of a request from the Sheriff's Office to decommission a 2005 Cadillac CTS vehicle from inventory and placed up for auction.
12. Authorizing the Bexar County Auditor to pay bill(s) from Fiscal Year 2017 invoice(s) in the amount of \$775 for services.

Item(s) Brought by County Auditor:

(Susan Yeatts)

13. Authorization and approval to pay routine bills from Monday, February 21, 2017 through Friday, March 3, 2017.
14. Approval of bills to include claims registers for Wednesday, February 8, 2017 and Friday, February 10, 2017; Wednesday, February 15, 2017 and Friday, February 17, 2017.
15. Authorization to distribute upcoming payroll, to include overtime, uniform allowances, and auto allowances to be paid on Tuesday, February 28, 2017.
16. Approval of Tax Assessor-Collector's Report of Taxes collected in January 2017 and approval of the order transferring tax collections for the month of January 2017 from unallocated receipts.
17. Approval of a request to establish two new change funds with balances of \$100 for the Bexar County CSCD Southeast Satellite location and \$100 for the Bexar County CSCD Southwest Satellite location.
18. Request approval according to Section 31.11, for \$203,332.29 in refunds for payments received by the Tax Assessor-Collector's Office in the form of tax overpayments made on 25 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.
19. 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 \$3,208. The Commissioners Court is not hereby adopting a special budget.
20. 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 \$261. The Commissioners Court is not hereby adopting a special budget.

Item(s) Brought by Purchasing:

(Mary Quinones)

21. Approval to declare six (6) surplus vehicles for auction in accordance with Local Government Code 263.152 (A)(1)(C)(6).
22. Modifying purchase order 11576977 issued to M & M Striping and Power Washing LLC to provide for the purchase of labor and materials to repair parking lot at the Elections/Purchasing Department facility, by an additional \$47,357, exceeding the 25% allowed by Local Government Code 262, bringing the PO total to \$147,196.52 as requested by the Facilities Management Department; and authorizing the Purchasing Agent to execute and file the appropriate documents for record.

Item(s) Brought by Economic and Community Development:

(David Marquez)

23. Authorization and approval for the Economic Development Department to pay an invoice in the amount of \$15,000 as submitted by Technology Connexus Association (dba Free Flow Research) for the San Antonio Cyber Security Roundtable at the 2017 South by Southwest® (SXSW®).
24. Approval of a Grant Agreement with Project Quest, Inc. in an amount not to exceed \$50,000.
25. Approval of a Grant Agreement with HelpSocial, Inc. in an amount not to exceed \$18,000.

26. Approval and execution of the Management Agreement between Bexar County and the following outside agencies for a one year period beginning October 1, 2016 and ending on September 30, 2017, in the amount listed below from the General Fund:
- a. Project Quest \$80,750;
 - b. San Antonio Public Library Foundation \$75,000;
 - c. San Antonio Oasis \$15,000;
 - d. The Advocates Youth Boxing \$22,000; and
 - e. VIA Metropolitan \$5,000.

Item(s) Brought by Public Works:

(Renee Green)

27. Approval of funding agreement between Bexar County and the DoSeum (formally known as the San Antonio Children's Museum) in the amount of \$250,000 for Storm Water and Storm Water Quality improvements on DoSeum Property, to include appropriate budgetary transfer, Precinct Number 4.
28. Approval to rename Ranch View to Ranch View East in accordance with the Addressing Standards as adopted by Bexar County Commissioners Court on April 27, 1993 and last revised on July 12, 1995. The street Ranch View will become a loop so the change would be to establish continuity and uniformity within the subdivision. Precinct Number 2.
29. Approval of subdivision plat#160355 within the Extra Territorial Jurisdiction of the City of San Antonio: Monteverde Unit 1 Phase 2 Enclave, owner: Forestar (USA) Real Estate Group Inc., located East of Azul Dawn (private) and Monteverde Run (private), within the Edwards Aquifer Recharge Zone. Precinct Number 3.
30. Approval of subdivision plat#150521 within the Extra Territorial Jurisdiction of the City of San Antonio: Redbird Ranch Unit 11C-1, owner: Continental Homes of Texas, L.P., located southwest of Cooks Petrel and Snowy Egret, not within the Edwards Aquifer Recharge Zone. Precinct Number 1.
31. Authorizing the purchase of a 5-foot wide strip of land, being a 0.003 acre tract of land by Warranty Deed and a Permanent Drainage Easement being a 0.260 of one acre tract of land; both tracts in New City Block (N.C.B.) 18047, San Antonio, Bexar County, Texas, being out of a remaining portion of Tract 2, called 4.9920 acres of land in the name of Wesley and Eleanor Richardson, described in Book 16484, Page 1767, and corrected in Book 16616, Page 726, both in the Official Public Records, Bexar County, Texas, also being out of the Perry Davis Survey No. 267, Abstract 189, County Block (C.B.) 4528, from Wesley and Eleanor Richardson, Owners of Record, in the amount of \$10,890 total appraised value, plus applicable closing costs. South Hausman Road LWC (LC5) Flood Control Project. Precinct Number 3.
32. Authorizing the purchase of Lots 4 and 5, Block 2, New City Block 1347, situated in the City of San Antonio, Bexar County, Texas, by Warranty Deed, from Mahmoud Rafati, Owner of Record, in the amount of \$80,000, total appraised value including administrative settlement, plus applicable closing costs for use as part of the East Side Bibliotech Library Project. Precinct Number 4
33. Approval to establish Traffic Control devices as Stop Zones at specified locations in Precincts 1, 3, and 4.

STOP ZONES TO BE ESTABLISHED:

Precinct Number 1

Falcon Landing Unit 1 Plat #070320

The Stop Sign shall be on Bypass Ridge at its intersection with Blackhawk Pass. (1 stop)

The Stop Sign shall be on Kellyfield Bay at its intersection with Blackhawk Pass. (1 stop)
 The Stop Sign shall be on Ohare Landing at its intersection with Blackhawk Pass. (1 stop)
 The Stop Sign shall be on Blackhawk Pass at its intersection with Catalina Port. (1 stop)
 The Stop Sign shall be on Galaxy Point at its intersection with Catalina Port. (1 stop)
 The Stop Sign shall be on Catalina Port at its intersection with Culebra Road. (1 stop)

Precinct Number 3

Mirabel Unit 2 Plat #150185

The Stop Sign shall be on Lost Creek Way at its intersection with San Mirienda. (1 stop)
 The Stop Sign shall be on Gibraltar at its intersection with San Mirienda. (1 stop)

Precinct Number 4

Miller Ranch Unit 6C Plat #150250

The Stop Sign shall be on Yaupon Canyon at its intersection with Buffalo Ranch. (1 stop)
 The Stop Sign shall be on Windmill Falls at its intersection with Foster Road. (1 stop)

Horizon Pointe Subdivision Unit 10B Plat #150572

The Stop Sign shall be on Celestial Moon at its intersection with Paria Canyon. (1 stop)
 The Stop Sign shall be on Marin Island at its intersection with Celestial Moon. (1 stop)
 The Stop Sign shall be on Marin Island at its intersection with Sierra Sunset. (1 stop)

34. Order accepting the following streets and drains in the identified subdivisions for County maintenance to begin February 21, 2017:

SUBDIVISION

STREET/DRAIN

Redbird Ranch Amenity Center
 Plat No. 140440
 Precinct # 1

Reeves Loop (Eastbound) 797.80 lf
 Asphalt Width: 32'
 Reeves Loop (Westbound) 797.80 lf
 Asphalt Width: 32'
 Rose Spoonbill 116.00 lf
 Asphalt Width: 40'
 Drain "A" 86.0 lf
 Drain "B" 50.96 lf

Talise de Culebra, Unit 08-A & 08-B
 Plat No. 150406
 Precinct# 2

Bucktree Drive 530.82 lf
 Asphalt Width: 28'
 Cactus Bend Drive 1,216.89 lf
 Asphalt Width: 28'
 Oak Harvest Drive 880.39 lf
 Asphalt Width: 28'
 Talia Drive 198.00 lf
 Asphalt Width: 40'
 Willow Dust 682.76 lf
 Asphalt Width: 28'
 Drain "A" 11.0 lf
 Drain "B" 11.0 lf

Savannah, Unit 5-A
Plat No. 150075
Precinct # 2

Fredrick Hill 38.92 lf
Asphalt Width: 28'
Granbury Field 371.35 lf
Asphalt Width: 28'
Hammer Ranch 815.59 lf
Asphalt Width: 28'
Murphy Haven 385.32 lf
Asphalt Width: 28'
Rodeo Drive 131.68 lf
Asphalt Width: 40'
Samsel Falls 746.36 lf
Asphalt Width: 28'

Item(s) Brought by Judicial Services:

(Mike Lozito)

35. Approval of a grant application to the U.S. Department of Justice (DOJ) for the solicitation entitled "Adult Drug Court Discretionary Grant Program" to assist the Bexar County DWI Court in the amount of \$539,595 which includes \$400,000 in federal funds and \$139,595 in in-kind contributions; the grant term will be for a period of 36 months beginning October 1, 2017 and acceptance of funds if awarded.

INDIVIDUAL AGENDA ITEMS:

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

Item(s) Brought by Commissioners Court:

(Court)

36. Discussion and appropriate action regarding approval of a resolution opposing consent to transport high-level radioactive waste on our railways or highways through Bexar County for the purpose of consolidated or permanent storage in Texas or nearby New Mexico.
(Estimated Presentation Time: 15 minutes) (Tommy Calvert)

Item(s) Brought by County Manager:

(David Smith)

37. Discussion and appropriate action regarding a Pilot Agreement between CIVIQ Smartscares, LLC and Bexar County to connect residents and visitors to applications and information resources displayed through CIVIQWayPoint Smartscape devices.
(Estimated Presentation Time: 15 minutes) (Thomas Guevara)
38. Presentation, discussion, and appropriate action regarding the Updated Quarterly Report of Amateur Sports Facilities funded with 2008 Venue Funds, including status of the operations (facilities and financial).
(Estimated Presentation Time: 10 minutes) (Mike Sculley)
39. Discussion and appropriate action regarding the status update on the ongoing design and construction of the San Pedro Creek Restoration project.
(Estimated Presentation Time: 10 minutes) (Tony Canez)

Item(s) Brought by Public Works:

(Renee Green)

40. Discussion and appropriate action regarding approval of Task Order #1 Mission Reach Erosion Damage Project in the amount not to exceed \$691,916 in accordance with the Operations and Maintenance Agreement for the Mission Reach Segment Facilities of the San Antonio River between San Antonio River Authority and Bexar County approved on December 9, 2014. Precinct Number 1 and 4.
(Estimated Presentation Time: 5 minutes)

(Renee Green)

Item(s) Brought by County Auditor:

(Susan Yeatts)

41. 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 January 2017. Notification of payment to those employees who have accumulated hours in excess of the FLSA maximum level for an estimated amount of \$26,847 and approval of the appropriate budget transfer.
(Estimated Presentation Time: 5 minutes)

(Susan Yeatts)

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

(Gerard Rickhoff)

42. Drawing 25 names from the 2016 Grand Jury List, nine (9) of which will serve on the 2017 Salary Grievance Committee; additional names as needed to serve as Alternates.
(Estimated Presentation Time: 5 minutes)

(Leonor Ramirez)

Item(s) Brought by District Attorney:

(Nicholas "Nico" LaHood)

43. 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 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.

44. § 551.071 Consultation with Attorney for advice regarding:

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

- i. In Re Olmos Equipment Inc; Cause 16-51834 in bankruptcy; and
- ii. Kelly M. Cross, Presiding Judge Bexar County Statutory Probate Court No. 1 v. Bexar County Commissioners Court, et al.

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.
- ii. Hot Wells, L.P. Donation Agreement

Posted: Friday, February 17, 2017 at 4:30 p.m.