

BEXAR COUNTY, TEXAS COMMISSIONERS COURT

NOTICE OF PUBLIC MEETING

The Bexar County Commissioners Court will meet on **Tuesday, September 12, 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 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: (Court/Tommy Calvert)
2. Pledge of Allegiance: (Court/Tommy Calvert)
3. **CEREMONIAL ITEM(S):**
 - a. Presentation of a Proclamation on behalf of Commissioners Court to the Alamo Area Council of Governments recognizing and proclaiming September 16, 2017 as “Drive Electric Day” in Bexar County.
(Estimated Presentation Time: 10 minutes) (Court/Kevin A. Wolff)
4. **TIME CERTAIN ITEM(S):**
 - a. **10:15 a.m.:** Discussion and appropriate action regarding the following:
 - i. Consideration and approval of a Resolution of Commissioners Court of Bexar County, Texas, authorizing the defeasance of certain outstanding Bexar County Hospital District Certificates of Obligation for the benefit of the District in accordance with specified parameters; approving and authorizing the execution of an escrow agreement; authorizing all other required actions on behalf of the District; and resolving other matters relating thereto.
 - ii. Consideration and approval of an Order authorizing the Issuance of Bexar County Hospital District Certificates of Obligation in the Aggregate principal amount not to exceed \$308,000,000; providing for the payment of the Certificates of Obligation by the Levy of an Ad Valorem Tax upon all Taxable Property within the District and further securing said certificates by a Lien on and pledge of the Surplus revenues of the District’s Hospital System; providing for the award of the sale thereof in accordance with specified parameters; Authorizing the execution and delivery of a purchase agreement and paying agent/registrars agreement; authorizing and approving the preparation and distribution of an Official statement; resolving other matters incident and related to the issuance, sale, payment and delivery of the Certificates of Obligations; and providing an effective date.
(Estimated Presentation Time: 15 minutes) (George Hernandez)
 - b. **10:30 a.m.:** Discussion and appropriate action regarding a motion to set the 2017 ad valorem tax rate at the existing tax rate for the Bexar County Hospital District d/b/a University Health System and approval of an order of Bexar County Commissioners Court setting the 2017 tax rate and levying the 2017 taxes for Bexar County Hospital District d/b/a University Health System’s operating, capital outlook.
(Estimated Presentation Time: As Required) (George Hernandez)
 - c. **Public Hearing 10:30 a.m. or Immediately following 4b.** The Commissioners Court invites public input regarding the Bexar County Proposed Operating and Capital Budget for Fiscal Year 2017-18.
(Estimated Presentation Time: As Required) (Seth McCabe)

d. **Immediately following Item 4c.** Discussion and appropriate action regarding adoption of the Bexar County FY 2017-18 Proposed Operating and Capital Budget including the proposed changes documented in the memorandum from the Budget Officer dated September 11, 2017.
(Estimated Presentation Time: 30 minutes) (Tina Smith-Dean)

e. **Immediately following Item 4d.** Discussion and appropriate action regarding adopting the 2017 Bexar County property tax rate of \$0.304097 and approval of an Order of Bexar County Commissioners Court adopting the 2017 tax rate of \$0.304097 consisting of a \$0.012868 flood control tax rate and a \$0.291229 general fund tax rate and levying the 2017 taxes for Bexar County in support of its Operating and Capital Budget for FY 2017-18.
(Estimated Presentation Time: 15 minutes) (Tina Smith-Dean)

5. Request of Commissioners Court to identify items from the Consent Agenda for additional discussion and to approve remaining Consent Agenda items.
6. Approval of Commissioners Court minutes for August 31, 2017 and September 5, 2017.
7. 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)

8. Approval of an Order designating Tuesday as the day of the week on which Commissioners Court shall convene in a regular term each month in the Fiscal Year 2017-18 pursuant to Local Government Code, Chapter 81, §81.005.
9. Approval of the Fiscal Year 2017-18 Commissioners Court Agenda Planner for Commissioners Court meeting dates and times to be held during the fiscal year.
10. Approval of a request from County Judge Nelson Wolff to appoint Mr. Alvin Loewenburg to the City/County Elderly Affairs Commission to begin upon appointment and expire December 31, 2018.

Item(s) Brought by District Attorney:

(Nicholas "Nico" LaHood)

11. Approving the submittal of a Title IV-E budget for FY 2017 which reflects changes in personnel and increased salaries added after the start of the fiscal year to be submitted to the Texas Department of Protective and Regulatory Services (TDPRS) for legal services rendered by the Criminal District Attorney's Office from 10/2016 through 09/2017.

Item(s) Brought by Sheriff's Office:

(Javier Salazar)

12. Approval of an agreement between Bexar County Sheriff's Office and Langley Productions for the production of COPS television series and recruitment efforts.

Item(s) Brought by County Auditor:

(Susan Yeatts)

13. Authorization and approval for the County Auditor to pay routine bills from Monday, September 11, 2017 through Friday, September 29, 2017.
14. Authorization to distribute upcoming payroll, to include overtime, uniform allowances, and auto allowances to be paid on Friday, September 29, 2017.
15. Approval of bills to include claims registers for Wednesday, September 6, 2017; Friday, September 8, 2017.
16. Approval of Tax Assessor –Collector's Report of Taxes collected in August 2017 and approval of the order transferring tax collections for the month of August 2017 from unallocated receipts.

Item(s) Brought by Tax Assessor-Collector:

(Albert Uresti)

17. Approval of a request for the waiver of penalty and interest, for the Bexar County taxing jurisdiction, in the amount of \$379.08 (penalty + interest \$168.28; attorney fees \$210.80) on account #05019-301-0150, Amaury & Cofresi Melanie Pabon, tax year(s) 2016 in accordance with Section 33.011 of the Texas Property Tax Code.
18. Approval of a request for the waiver of penalty and interest, for the Bexar County taxing jurisdiction, in the amount of \$967.64 (penalty + interest \$418.69; attorney fees \$548.95) on account #04702-109-0740, Cavan Copeland, tax year(s) 2016 in accordance with Section 33.011 of the Texas Property Tax Code.
19. Approval of a request for the waiver of penalty and interest, for the Bexar County taxing jurisdiction, in the amount of \$339.52 on account #34955-000-0086, Bulverde Parkway LTD and Bulverde Place LLC, tax year(s) 2016 in accordance with Section 33.011 of the Texas Property Tax Code.
20. Approval of a request for the waiver of penalty and interest, for the Bexar County taxing jurisdiction, in the amount of \$131.76 (penalty + interest \$57.01; attorney fees \$74.75) on account #05744-005-0091, Ralph & Lisa L. Pena, tax year(s) 2016 in accordance with Section 33.011 of the Texas Property Tax Code.
21. Approval of a request for the waiver of penalty and interest, for the Bexar County taxing jurisdiction, in the amount of \$241.83. In reference to account #01015-002-0230 in the amount of \$143.56 (penalty + interest \$63.73; attorney collection of \$79.83) and reference to account #01015-002-0241 in the amount of \$98.27 (penalty + interest \$43.63; attorney collection of \$54.64), Oscar Alonzo Jr. & Desiree M. Alonzo, tax year(s) 2016 in accordance with Section 33.011 of Texas Property Tax Code.

Items(s) Brought by Purchasing:

(Marv Quinones)

22. Authorizing and approving the updates to Bexar County Administrative Policies 8.0 (Small, Minority, and Women-Owned Business Enterprise (SMWBE) Policy for the Procurement of all County Offices, Departments, Funded Entities and Facilities in the areas of Commodities, Equipment, Professional and Personnel Services Maintenance and Construction) and 8.1. (Purchase of Goods and Services and Procurement of Professional and Personal Services).

23. Authorizing the execution of an agreement with Recovery Healthcare Corporation for Offender Paid Electronic Monitoring Services beginning upon award and ending March 29, 2019, as requested by the Judicial Services Department and authorizing the Purchasing Agent to execute a contract renewal in accordance with the terms of the original contract if provided for in each fiscal year appropriated budget; and authorizing the Purchasing Agent to execute the contract and file the appropriate award documents for record.
24. Awarding a contract to the lowest and best qualified bid submitted by E-Z Bel Construction, LLC (SMWBE) to provide for the purchase of construction services for the Talley Road at Culebra Road Traffic Signals Project in Precinct 2, in the amount of \$159,522, as requested by the Public Works Department; and authorizing the Purchasing Agent to execute and file the appropriate award documents for the record.
25. Awarding the renewal of a requirements contract to Clampitt Paper Company to provide for the purchase of bond paper for county-wide use beginning upon award and ending September 30, 2018, in the estimated annual amount of \$181,260; and authorizing the Purchasing Agent to execute and file the appropriate award documents for the record.
26. Awarding the extension of a requirements contract for the purchase of Janitorial and Personal Care items from DC Distributing in the estimated amount of \$111,090; Affordable Custodial Supplies in the estimated amount of \$21,732; Phoenix Trading Inc. dba Amercare Products Inc., in the estimated amount of \$27,256 for three (3) months beginning October 1, 2017 and ending December 31, 2017 for a combined estimated amount of \$160,078; and authorizing the Purchasing Agent to execute and file the appropriate award documents for record.
27. Awarding the extension of the requirement contracts with Vulcan Materials estimated amount of \$650,000; D&A Technology estimated amount of \$875,000 (SMWBE) in the combined estimated annual amount of \$1,525,000 for the purchase and delivery of Asphalt Materials for the period beginning upon award and ending September 30, 2018 as requested by the Public Works Department; authorizing the Purchasing Agent to renew contract modification and file the appropriate award documents for record.
28. Approval to declare sixteen (16) vehicles surplus for auction in accordance with Local Government Code 263.152. (A)(1)(C)(6).

Item(s) Brought by Public Works:

(Renee Green)

29. Approval of Amendment Number 1 to the Vehicle Registration Fee Interlocal Agreement between Bexar County and the Alamo Regional Mobility Authority addressing the utilization of the Bexar County Purchasing Department to aid in the procurement of construction contracts.
30. Approval of SAWS Field Alteration Request Number 2 between Bexar County and Curran Contracting Co., requesting to increase contract amount by \$38,781.11 in connection with the FM 471 (Culebra Road) Pass Through Finance Project, to be paid by SAWS at **no cost to the County**. Precinct Number 1 and 2.
31. Approval of Field Alteration Number 2 between Bexar County and EZ Bel Construction, LLC. (SMWBE) requesting to increase contract amount by \$46,469.50 in connection with the Steubing Road Project. Precinct Number 2.
32. Approval of Amendment Number One to the Defense Economic Adjustment Assistance Grant Agreement between Bexar County, Texas and The Office of the Governor, Texas Military Preparedness Commission, to extend the term of the Grant for the purchase of property around Randolph Air Force Base (RAFB) for an additional six month period and extending the original expiration date from August 31, 2017 to February 28, 2018, thus allowing additional time for the completion of the project which will support furthering the overall mission of Randolph AFB and Joint Base San Antonio (JBSA) (Precinct 4).

33. Authorizing the purchase by Warranty Deed of a 0.077 acre tract of land, 3,343 square feet, being out of a 1.944 acre tract of land, as described in Volume 7520, Page 992 of the Official Public Records of Bexar County, Texas, out of the Aristide Cagnion Survey, Abstract Number 184, Bexar County, Texas from Johney H. Adam and Virginia Fleming Adam, Owners of Record in the amount of \$8,000, appraised value plus applicable costs. Talley Road Capital Improvements Project, Precinct Number 1.
34. Authorizing the purchase by Warranty Deed of a 0.049 acre tract of land, 2,214 square feet, being out of the remaining portion of Lot 3, Block 2 of Hilltop Acres, Unit One, as described in Volume 10836, Page 1562 of the Official Public Records of Bexar County, Texas, out of the J.H. Blannerhassett Survey Number 202, Abstract Number 56, Bexar County, Texas from Saul Martinez and Wife, Margarita Martinez, Owners of Record, in the amount of \$9,300 total appraised value plus applicable costs. Talley Road Capital Improvements Project, Precinct Number 1.
35. Authorizing the purchase by Warranty Deed of a 0.126 acre tract of land, 5,488 square feet, being out of Lots 1 and 2, Block 7 of Hilltop Acres, Unit Two, as described in Volume 16411, Page 60 of the Official Public Records of Bexar County, Texas, out of the T. R. Edmondson Survey Number 203, Abstract Number 229, Bexar County, Texas from Gabriel Moses Perez, Owner of Record, in the amount of \$28,400 total appraised value plus applicable costs. Talley Road Capital Improvements Project, Precinct Number 1.
36. Authorizing the purchase by Warranty Deed of a 0.206 acre tract of land, 8,955 square feet, being out of a 399.402 acre tract of land, as described in Volume 8337, Page 93 of the Official Public Records of Bexar County, Texas, out of the George Fellows Survey Number 205, Abstract Number 235, Bexar County, Texas from Vise Oaks I, LTD, Owner of Record in the amount of \$71,700, total appraised value plus applicable costs. Talley Road Capital Improvements Project, Precinct Number 1.
37. Approval of subdivision plat # 160306 within the Extra Territorial Jurisdiction of the City of San Antonio: Indian Springs Estates NW, Unit 6 P.U.D. Owner: Pulte Homes of Texas, L.P. located East of Running Fawn (Private) and Seminole Wind (Private), within the Edwards Aquifer Recharge Zone. Precinct Number 3.
38. Approval of subdivision plat # 160021 within the Extra Territorial Jurisdiction of the City of San Antonio: Weston Oaks Unit 6 Enclave. Owner: Babcock Road 165, LTD, located Southwest of Reid Ranch and Caldwell Ranch, not within the Edwards Aquifer Recharge Zone. Precinct Number 1.
39. Approval of subdivision plat#160480 within the Extra Territorial Jurisdiction of the City of San Antonio: Alamo Ranch Unit 49C Phase 3 PUD, owner: Pulte Homes of Texas, L.P., located southwest of Cache Creek (private) and Grant Rapids (private), not within the Edwards Aquifer Recharge Zone. Precinct Number 1.
40. Approval of subdivision plat#160495 within the Extra Territorial Jurisdiction of the City of San Antonio: Fischer Tract Unit 1A , owner: KB Home, located northwest of Evans Road and Angostura Boulevard, within the Edwards Aquifer Recharge Zone. Precinct Number 3.
41. Approval of subdivision plat # 160510 within the Extra Territorial Jurisdiction of the City of San Antonio: Sawyer Meadows Unit 6. Owner: K.B. Home Lone Star, Inc., located North of Entitlement Way and Impressive Way, not within the Edwards Aquifer Recharge Zone. Precinct Number 2.
42. Approval of subdivision plat#160577 within the Extra Territorial Jurisdiction of the City of San Antonio: Potranco Market Unit 6, owner: SA Dove Creek Highlands, LTD, located southeast of Empresario Drive and Potranco Road – FM 1957, not within the Edwards Aquifer Recharge Zone. Precinct Number 1.
43. Approval of subdivision plat # 170003 within the Extra Territorial Jurisdiction of the City of San Antonio: Ackerman Gardens Unit 1. Owner: GN Development Partners, LLC., located Southeast of Binz-Engleman Road and Caddo Lake Drive, not within the Edwards Aquifer Recharge Zone. Precinct Number 4.

44. Approval to establish Traffic Control devices as School Zones and Stop Zones at specified locations in Precincts 1, 2, and 3.

SCHOOL ZONES TO BE ESTABLISHED:

Precinct Number 1

Bennie L. Cole Elementary School

The maximum speed on Talley Rd from 380 ft. south of Elm Forrest to 530 ft. north of Earl Roberts shall be 25 mph (when flashing) on school days only.

The maximum speed on Tillman Ridge from Talley Rd to Pitcher Rd shall be 20 mph (when flashing) on school days only.

The maximum speed on Pitcher Rd from Tillman Ridge to end of road shall be 20 mph (when flashing) on school days only.

Precinct Number 3

Veterans Memorial High School

The maximum speed on Evans Rd from 1400 ft. north of Wagon Rd to 2400 ft. north of Wagon Rd shall be 30 mph (when flashing) on school days only.

STOP ZONES TO BE ESTABLISHED:

Precinct Number 2

Tribute Ranch Subdivision Unit 1 Plat #160524

The Stop Sign shall be on Tribute Oaks at its intersection with FM 1560. (1 stop)

The Stop Sign shall be on Straight Tribute at its intersection with Straight Oaks. (1 stop)

The Stop Sign shall be on Tribute Pass at its intersection with Straight Oaks. (1 stop)

Item(s) Brought by Judicial Services:

(Mike Lozito)

45. Approval of a contract between Bexar County and Christina Falkiewicz in the amount of \$3,000 for service as the lead trainer for the Bexar County Dispute Resolution Center's Children's Court Mediation Training to be held on September 15 and 16, 2017.

Item(s) Brought by Resource Management:

(Tina Smith-Dean)

46. Approval of placement of cyber liability insurance with Chubb Insurance through the County's insurance consultant, McGriff, Seibels & Williams, Inc., for a one year period beginning October 1, 2017 and ending on September 30, 2018 for a total premium amount of \$51,139.

Item(s) Brought by Economic and Community Development:

(David Marquez)

47. Approval to repay Community Development Block Grant (CDBG) funds in the amount of \$82,400 to the U.S. Department of Housing and Urban Development (HUD) using 2017-2018 General Fund dollars.

Item(s) Brought by Elections Department:

(Jacque Callanen)

48. Awarding a contract on a sole source basis to VOTEC to provide for the purchase of Election Management Software for Votesafe support, VEMACS support, BallotBoard annual license and support, for a period beginning upon award and ending August 24, 2018 in the annual amount of \$184,322.69; and authorizing the Purchasing Agent to execute and file the appropriate award documents for the record.

INDIVIDUAL AGENDA ITEMS:

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

Item(s) Brought by Commissioners Court:

(Court)

49. Discussion and appropriate action on a resolution regarding the DREAM Act.
(Estimated Presentation Time: 10 minutes)

(Nelson Wolff)

Item(s) Brought by Sheriff's Office:

(Javier Salazar)

50. Discussion and appropriate action regarding approval of an Interlocal Agreement for Law Enforcement Dispatch Services between Bexar County and the City of Leon Valley.
(Estimated Presentation Time: 10 minutes)

(Javier Salazar)

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.

51. §551.071 Consultation with Attorney for advice regarding:

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

- i. Esmeralda Ramos v. Bexar County; and
- ii. Possible litigation against certain opioid drug manufacturers.

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. P-25 Radio System Project among City of San Antonio and City Public Service.

Posted: Friday September 8, 2017 at 4:45 pm