



UG-98-2020-26543

BEXAR COUNTY, TEXAS COMMISSIONERS COURT

NOTICE OF PUBLIC MEETING

The Bexar County Commissioners Court will meet on **Tuesday, January 7, 2020 at 10:00 a.m. in the Double-Height Courtroom** on the Second Floor of the Bexar County Courthouse, 100 Dolorosa, Suite 2.01, and 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**

**JUSTIN RODRIGUEZ
COMMISSIONER, PRECINCT 2**

**TOMMY CALVERT
COMMISSIONER, PRECINCT 4**

**LUCY ADAME-CLARK
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

This meeting site is accessible. The Accessible Entrance to the Bexar County Courthouse is located at the west side of the Courthouse on S. Main Avenue between Dolorosa and E. Nueva Streets. To access the second floor, individuals must utilize the accessible ramp located at the west side of the County Courthouse and take the elevator to the second floor.

COMMISSIONERS COURT CEREMONIAL AGENDA

1. Opening prayer: Rev. Bob Clark from Trinity United Methodist Church (Court/Nelson W. Wolff)
2. Pledge of Allegiance: (Court/Nelson W. Wolff)

COMMISSIONERS COURT REGULAR AGENDA

3. **CEREMONIAL ITEM(S):**
 - a. Presentation of a proclamation on behalf of Commissioners Court designating “The Tip of the Spear” statue, remembering and recognizing all veterans who defended our freedom, to be placed at the Bexar County Public Works Headquarters.
(Estimated Presentation Time: 5 minutes) (Sergio “Chico” Rodriguez/Court)
 - b. Presentation of a proclamation on behalf of Commissioners Court recognizing January 24, 2020 to be Cowboy Breakfast Day.
(Estimated Presentation Time: 5 minutes) (Tommy Calvert/Court)
4. Request of Commissioners Court to identify items from the Consent Agenda for additional discussion and to approve remaining Consent Agenda items.
5. 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 Monthly Financial Reports (Unaudited and Unadjusted) for October 31, 2019.
 - b. Notice of Lawsuit and Request to Waive Service of Summons, Re: Christopher Prescott & Rubi Prescott, Individually and as Next Personal Representatives of the Estate of Kameron Prescott, Deceased vs. Bexar County, Javier Salazar, Individually and as the Bexar County Sheriff, John Aguillon, George Herrera, Jesse Arias, and Johnny Longoria, Cause Number: 5:19-cv-01392-JKP, United States District Court, Western District of Texas – San Antonio Division.
 - c. U.S. District Court - Summons in a Civil Action Directed to Bexar County, Nelson Wolff, County Judge of Bexar County, Re: Joe Ule, Individually and as a Personal Representative of the Estate of Jack Ule, decedent v. Bexar County, Sheriff Javier Salazar, and Bexar County Hospital District d/b/a University Health Systems, Civil Action No. 5:19-CV-1459-JKP.
 - d. Texas Tort Claims Notice Letter and Spoliation Letter, submitted by Law Offices of Fidel Rodriguez, Jr., Re: Officer Ralph Delgado.

- e. U.S. District Court - Summons in a Civil Action Directed to Bexar County, Bexar County Judge Nelson Wolff, Re: Rene Jones, Individually and as a Personal Representative of the Estate of Amanda Jones, Deceased v. Bexar County, Javier Salazar, John Aguillon, George Herrera, Jesse Arias, and Johnny Longoria, Civil Action No. 5:19-CV-01392-JKP-RBF.
- 6. Commissioners Court minutes for December 17, 2019 and December 27, 2019.
- 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 County Auditor:

(Leo Caldera)

- 8. Request approval according to Section 31.11 for \$23,796.53 in refunds for payments received by the Tax Assessor-Collector's Office in the form of tax overpayments made on 6 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.
- 9. 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 December 2019. Notification of payment to those employees who have accumulated hours in excess of the FLSA maximum level for an estimated amount of \$75,175 and approval of the appropriate budget transfers.
- 10. Authorization and approval for the County Auditor to pay routine bills from Monday, January 6, 2020 through Friday, January 24, 2020.
- 11. Authorization to distribute upcoming payroll, including overtime, uniform allowances, and auto allowances to be paid on Wednesday, January 15, 2020.
- 12. Approval of bills to include claims registers for Wednesday, December 18, 2019 and Friday, December 20, 2019; Friday, December 27, 2019 and Friday, January 3, 2020.
- 13. Authorizing the County Auditor to pay various FY2019 invoices from San Antonio Code Blue #2 in the amount of \$1,199.70 and Waste Management in the amount of \$360.00.
- 14. Approval of Tax Assessor-Collector's Report of Taxes collected in December 2019 and approval of the order transferring tax collections for the month of December 2019 from unallocated receipts.

Item(s) Brought by Sheriff's Office:

(Javier Salazar)

15. Approval of a Donation Agreement between Assistance League of San Antonio and the Bexar County Sheriff's Office to provide in-kind donations of clothes clothing and miscellaneous items for at-risk children birth through fifth grade of inmates participating in the Adult Detention Center Reentry Program with immediate need.
16. Authorizing the auditor to pay Fiscal Year 20 invoice(s) for Bexar County Sheriff's Office for services from 4M Building (Janitorial Services) in the amount of \$2,240.00 and Industrial Communication (vehicle repairs/maintenance) \$9,235.54, for the total amount of \$11,475.54. These were services provided to BCSO during contract negotiations for 4M and at the request from Auditor's for Industrial to be placed on the Agenda due to funding on Purchase Orders.
17. Ratification and approval of agreement for eleven (11) leased vehicles for use in the Criminal Investigation Division for undercover operations.

Item(s) Brought by Civil District Court Administration:

(Peter Sakai)

18. Approval of a Professional Services Agreement between Bexar County and Brianna Rodriguez, LPC to provide assessment, case management, guidance and counseling to female participants of the PEARLS Court Program utilizing funding from an Office of the Governor Criminal Justice Division grant. The term of the Agreement is from October 1, 2019 to September 30, 2021; and with an amount not to exceed \$56,913.
19. Authorization and approval for the County Auditor to pay bill(s) from Fiscal Year 19 invoice(s) for the Civil District Courts Baby Court in the amount of \$14,144 for services from Recovery Healthcare Services (alcohol/drug testing). These were services provided to the Civil District Courts Baby Court prior to the creation of a purchase order.
20. Approval of a Professional Services Agreement between Bexar County and Volunteers of America Texas, Inc., to provide residential drug and substance abuse services for female adults participating in the Bexar County Family Drug Treatment Court utilizing funding from the Department of Justice – Office of Juvenile Justice and Delinquency Prevention for an amount not to exceed \$129,600. The term of the Agreement begins October 1, 2019 through September 30, 2021.

Items(s) Brought by Purchasing

(Mary Quinones)

21. Awarding a contract to the lowest and best qualified bid submitted by DG Investment Intermediate Holdings 2, Inc. dba Convergent Technologies LLC in the amount of \$420,059.27 to install IP security cameras and devices at County-owned buildings, plus \$20,000.00 for owner contingency, as requested by the Facilities Management Department; and authorizing the Purchasing Agent to execute and file the appropriate award documents for record.

Item(s) Brought by Public Works:

(Renee Green)

22. Approval of the Interlocal Agreement between Bexar County and San Antonio Water System (SAWS) in the amount of \$131,860 to be paid by SAWS for utility adjustments on the Sanctuary Subdivision Project and at no cost to the County (Precinct 2).
23. Approval of subdivision plat#160563 within the Extra Territorial Jurisdiction of the City of San Antonio: The Orchard Phase 1, owner: Cumberland 90, LTD, located north of State Hwy 211 and US Hwy 90, not within the Edwards Aquifer Recharge Zone. Precinct Number 1.
24. Approval of subdivision plat#180261 within the Extra Territorial Jurisdiction of the City of San Antonio: Camino Creek, owner: Yes Communities, located west of US Hwy 90 west and Kriewald Road, not within the Edwards Aquifer Recharge Zone. Precinct Number 1.
25. Approval of two (2) 20 feet wide Water Pipeline Easements, one being 0.307 acres out of a 4.360 acre tract and the other one being 0.151 acres out of a 8.62 acre tract of land, both being out of the William Bracken Survey, Abstract No. 48, and both being described in a Deed recorded in Volume 9896, Page 856, Deed Records, Bexar County, Texas; from the San Antonio River Authority to Bexar County, Texas, also approving two (2) 20 feet wide Temporary Construction Easements, one for each of the above tracts, one being 0.331 acres out of a 4.360 acre tract and the other one being 0.149 acres out of a 8.62 acre tract of land of the William Bracken Survey, Abstract No. 48, as described in a Deed recorded in Volume 9896, Page 856, Deed Records, Bexar County, Texas, located in northeast Bexar County, all being granted to the Schertz/Seguin Local Government Corporation across an unused portion of Crescent Bend Park for the total appraised value of \$2,173. Precinct 4.
26. Approval of a 10 foot Permanent Water Easement being a 0.072 acre tract of land and a 10 foot Temporary Construction Easement being a 0.072 acre tract of land, both tracts out of Lot 31, Block 12, Belterra Subdivision, Unit 2, as recorded in Volume 9577, Page 12, of the Deed and Plat Records of Bexar County, Texas, located in northeastern Bexar County, being granted to 281/Overlook Partners, L.P. a Texas limited partnership, for the total appraised value of \$1,100. Precinct 3.
27. Approval of the Highway Emergency Response Operation (HERO) Program to include appropriate budgetary transfer:
 - a. Approval of a Local Transportation Project Advance Funding Agreements (LPAFA) between Bexar County and the Texas Department of Transportation (TxDOT) for:
 - **FY 2019** - \$166,250 for the Highway Emergency Response Operation (HERO) Program
 - **FY 2020** - \$365,750 for the Highway Emergency Response Operation (HERO) Program
 - b. Approval of a Resolution allowing Bexar County to enter into a Local Transportation Project Advance Funding Agreement (LPAFA) for the Highway Emergency Response Operation (HERO) Program
28. Approval to establish Traffic Control devices as Stop Zones at specified locations in Precinct Number 2.

STOP ZONES TO BE ESTABLISHED:

Precinct Number 2

Waterwheel Subdivision Unit 1 Phase 2 Plat #170514

The Stop Sign shall be on Cologne Mill at its intersection with Segura Way. (1 stop)

Kallison Ranch Phase 1 Unit 11A Plat #130174 (Rescind)

Rescind court order dated 12/10/2013 stating the stop signs shall be on Cheyenne Pass at its intersection with Rifleman Road. (2 stops)

This action is necessary due to developer opening Cheyenne Pass to Culebra Rd making Cheyenne Pass the major road and Rifleman Road the controlled road. Therefore the stop signs on Cheyenne Pass intersecting Rifleman Road need to be removed and the stop signs shall be on Rifleman Road at its intersection with Cheyenne Pass. (2 stops)

29. Order accepting the following streets and drains in the identified subdivisions for County maintenance to begin January 7, 2020:

SUBDIVISION

Whisper Falls, Unit 1-A,
Plat No. 170379
Precinct #1

STREET/DRAIN

Mezzo Breeze 457.88 lf
Asphalt Width: 28'
Strasse Way 237.61 lf
Asphalt Width: 28'
Tremolo Echo 234.80 lf
Asphalt Width: 40'
Whisper Way (Northbound) 475.31 lf
Asphalt Width: 24'
Whisper Way (Southbound) 475.31 lf
Asphalt Width: 33'
Storm Drain "B" 105.92 lf

Item(s) Brought by Office of Emergency Management/Fire Marshal:

(Kyle Coleman)

30. Approval of a Joint Resolution establishing an inter-jurisdictional emergency management program and plan for the City of Live Oak and Bexar County.

Items(s) Brought by Economic and Community Development:

(David Marquez)

31. Approval and execution of the Public Service Agreement between Bexar County and the Somerset Senior Citizens Center, Inc. for the Senior Citizens Transportation Project utilizing Program Year 2019 Community Development Block Grant funds in the amount of \$35,000.

32. Approval and Execution of the Management Agreement between Bexar County and the following outside agencies for a one year period beginning October 1, 2019, and ending on September 30, 2020, in the amount listed below from the General Fund:

AGENCY	Award
Centro San Antonio	\$30,000.00
Classical Music Institute	\$30,000.00

Society St. Vincent De Paul	\$50,000.00
Symphony Society of San Antonio	\$50,000.00
YWCA – Senior Literacy	\$25,000.00
YWCA – Encore Plus	\$15,000.00

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

(David L. Smith)

33. Discussion and appropriate action regarding a Grant Agreement between Bexar County and Alameda Theater Conservancy to provide funding for operations and program development in the amount of \$200,000 for FY 2019-20 and \$250,000 for FY 2020-21, for a total amount not to exceed \$450,000 from the Venue Project Fund, and the appropriate budgetary transfer.
34. Approval of the revival and first amendment of veterinarian services agreement with Emily Basten, DVM (SMWBE) to amend the maximum amount to be paid to consultant at \$115,000 annually, effective October 1, 2019 for fiscal year 2020, exercising the first of three optional extended terms, as provided for in the original agreement approved by Commissioners Court on October 2, 2018.
35. Receive petition and approval of a Resolution of Intent regarding the Briggs Ranch Special Improvement District.
36. Receive petition and approval of a Resolution of Intent regarding the Tres Laurels Special Improvement District.

Item(s) Brought by Information Technology:

(Mark Gager)

37. Approval to assign the Black and Veatch Consulting Services Agreement to Mission Critical Partner, LLC. Where Mission Critical Partners, LLC will assume the same service per the contract approval by Commissioners Court on November 27, 2019.
38. Approval of Mutual Non-Disclosure Agreement between ATTACKIQ, INC. and Bexar County regarding the exchange of information relative to the development and potential use of technology solutions and supporting services.

Item(s) Brought by Heritage and Parks:

(Betty Bueche)

39. Approval of a renewal of the Interlocal Agreement for City of San Antonio to use Bexar County Civic Centers for their Senior Nutrition Program and authorizing the County Judge to sign the document.
40. Approval and adoption of amended Code of Regulations 12.470.060.0795 governing operation of County Parks. Section to be changed is 6.01.

Item(s) Brought by Facilities Management:

(Dan Curry)

41. Approval of Order authorizing for ratification to terminate License Agreement with T-Mobile West LLC., and for the removal of the cell tower located on the roof top level of the Detention Facility at 218 S. Laredo.

INDIVIDUAL AGENDA ITEMS:

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

Item(s) Brought by Elections:

(Jacque Callanen)

42. Discussion and appropriate action for the orders necessary for the conduct of early voting for the Joint Primary to be held on Tuesday, March 3, 2020 and the Runoff, if necessary, on Tuesday, May 26, 2020 to include:
- a. An Order to Conduct Early Voting for the Primary and Runoff Election
 - b. An Order designating the main early voting location and branch locations;
 - c. An Order setting compensation for the deputy early voting clerks for early voting;
 - d. An Order adopting a voting system to be used;
 - e. An Order adopting the voting times for Saturdays and Sundays.
- (Estimated Presentation Time: 10 minutes)

(Jacque Callanen)

Item(s) Brought by Commissioners Court:

(Court)

43. Discussion and appropriate action regarding a request from Commissioner Tommy Calvert for a re-affirmation of existing policy directives from the Office of the County Manager that requires all departments under its authority to post open RFPs/RFQs/SOQs for Architectural and Engineering Services on the respective department's website as well as Bexar County Purchasing and Bexar County's Small Business & Entrepreneurship Department websites (website, portal, & CDMS). Further, open RFPs/RFQs/SOQs will require that respondents seeking to perform Architectural and Engineering Services shall complete a SMWBE affidavit accurately listing all subconsultants to be utilized as per Bexar County Administrative Policy 8.0. SMWBE and issuing addendums immediately to any solicitations for vendors that do not have the aforementioned listings. Staff should extend submissions for SWMBEs 21 days in order to allow for SWMBE Policy 8.0 to be properly adhered to.
- (Estimated Presentation Time: 10 minutes)

(Court)

Item(s) Brought by Sheriff's Office:

(Javier Salazar)

44. Discussion and appropriate action regarding the request approval for 61,000 hours of paid overtime for uniformed officers required to work mandatory hours (MOT) in the Adult Detention Center between December 28, 2019 and February 29, 2020.
- (Estimated Presentation Time: 10 minutes)

(Javier Salazar)

Item(s) Brought by District Attorney:

(Joe Gonzales)

45. Discussion and appropriate action regarding a settlement proposal in the following litigation: Vanae Wright and Leilani Green v. BCSO, et al.
- (Estimated Presentation Time: 5 minutes)

(Larry Roberson)

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.

46. §551.071 Consultation with Attorney for advice regarding:

- a. Pending or contemplated litigation or settlement offers in the following matters:
 - i. Vanae Wright and Leilani Green v. BCSO, et al;
 - ii. Crawford v. Hernandez;
 - iii. Joshua Ruiz v. Bexar County.

- 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. Bexar County v. Purdue Pharma, L.P., et al. / In Re: Texas Opioid Litigation.

Posted: Friday, January 3, 2019 at 5:00 p.m.

FILE INFORMATION

Document Number: 26543
Date/Time: 1/3/2020 4:55:03 PM
Total Pages: 9
FILED IN THE OFFICIAL PUBLIC
RECORDS OF BEXAR COUNTY
LUCY ADAME - CLARK
BEXAR COUNTY CLERK
Total Fees: \$0.00