



UG-98-2019-26011

BEXAR COUNTY, TEXAS COMMISSIONERS COURT

NOTICE OF PUBLIC MEETING

The Bexar County Commissioners Court will meet on **Tuesday, June 4, 2019 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**

**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 south end of the Courthouse at the intersection of Nueva and Main streets. To access the second floor, individuals must utilize the accessible 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: (Kevin Wolff)
2. Pledge of Allegiance: (Court/Kevin Wolff)

COMMISSIONERS COURT REGULAR AGENDA

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

- a. Presentation of a Proclamation on behalf of Commissioners Court recognizing the efforts of all involved in creating the Mentoring Organization Roundtable – San Antonio (MOR-SA).
(Estimated Presentation Time: 5 minutes) (Nelson Wolff/Court)

4. **SPECIAL PRESENTATION ITEM(S):**

- a. Sheriff Salazar and Morgan's Wonderland would like to announce the 3 finalists for "Sheriff for a Day" during Commissioners Court.
(Estimated Presentation Time: 5 minutes) (Javier Salazar)
- b. Introduction of ten arts organizations and interns participating in the 2019 Bexar County Arts Internship Program.
(Estimated Presentation Time: 10 minutes) (David Marquez/Rod Rubbo)
- c. Presentation of highlighted BiblioTech programs and partnerships including Estás en Casa, San Antonio Food Bank and San Antonio Housing Authority.
(Estimated Presentation Time: 10 minutes) (Laura Cole)

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

Recess Commissioners Court

- a. **10:30 a.m.** – Convene as Board of Directors, **Bexar County Housing Finance Corporation.**
(Estimated Presentation Time: 5 minutes) (Board/Bracewell LLP)

Reconvene Commissioners Court

- b. **11:00 a.m.:** Discussion and appropriate action regarding:
i. Alamo Colleges District regarding the Alamo Promise program; and
ii. A grant agreement with SA Talent, Inc. dba SA Works in the amount of \$100,000.
(Estimated Presentation Time: 20 minutes) (Deborah Carter)
- c. **11:30 a.m.: Public Hearing** The Commissioners Court invites public input regarding the preliminary selection of projects to be funded with Community Development Block Grant (\$2,389,710), HOME (\$737,702) and ESG (\$196,678) Program funds.
(Estimated Presentation Time: As needed) (Deborah Carter)
- d. **Immediately following item 5c.:** Discussion and appropriate action regarding the preliminary selection of projects to be funded with Community Development Block Grant (\$2,389,710), HOME (\$737,702) and ESG (\$196,678) Program funds for the 2019-2020 Budget Year.
(Estimated Presentation Time: 10 minutes) (Deborah Carter)
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. Citation and Complaint and Claims, Re: Frederick Omoyuma Silver vs. Texas Ethics Commission; et al in Case No. D-1-GN-19-002420.
- b. Notice of Claim submitted by Meiowitz & Wasserberg, LLP, Re: Robert and Eva Jenkins.
- c. Bexar County Precinct 4 FY 2018-2019 Budget LEOSE Fund -119.
- d. Second Amended Notice of Lis Pendens and Second Amended Petition for Condemnation, Re: The State of Texas v. Cowboys Far West, LTD., a Texas LP, et al, Cause No. 2018-ED-0011.
- e. Proposed Judgement of Court in Absence in Objection, Re: The State of Texas v. Icon Interchange South Owner Pool 2, LLC, A Delaware Limited Liability Company, Et Al in Case No. 2018ED0014.
- f. Notice of Claim submitted by Villarreal & Begum Law Group, Re: Floyd Hamilton.

- g. Citation and Plaintiff's First Amended Original Complaint and Application for Temporary Injunction Directed to Bexar County by Serving Judge Nelson Wolff, Re: Ernest Bustos vs. Bexar Appraisal District et al, Case Number: 2018-CI-16392.
- h. Citation and Plaintiff's First Amended Petition Directed to Bexar County c/o Judge Nelson Wolff, Re: Progressive County Mutual Insurance Company vs. Joe Martinez et al.

8. Commissioners Court minutes for May 21, 2019.

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, discussion, and appropriate action taken separately.

Item(s) Brought by County Auditor:

(Leo Caldera)

- 10. Authorization and approval for the County Auditor to pay routine bills from Monday, June 3, 2019 through Friday, June 14, 2019.
- 11. Approval of bills to include claims registers for Wednesday, May 22, 2019 and Friday, May 24, 2019; Wednesday, May 29, 2019 and Friday, May 31, 2019.
- 12. Authorization to distribute upcoming payroll, including overtime, uniform allowances, and auto allowances to be paid on Friday, June 14, 2019.
- 13. Request approval according to Section 31.11 for \$108,020.74 in refunds for payments received by the Tax Assessor-Collector's Office in the form of tax overpayments made on 21 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.
- 14. Approval and authorization of resolutions amending the authorized representatives for TexPool and TexStar Local Government Investment Pools.

Item(s) Brought by Sheriff's Office:

(Javier Salazar)

- 15. Approval to renew contract 696-PD-14-15-L062 between Bexar County and the Texas Department of Criminal Justice (TDJC) with services provided by the Adult Detention Center Work Release Program to house released parolees from TDCJ with a term of September 1, 2019 – August 31, 2021, at a per diem rate of \$55 per release. The amount of the contract in not to exceed \$643,280.

16. Ratification of approval to submit a grant application to the US Department of Justice, Bureau of Justice Assistance for the solicitation entitled Implementing the PREA Standards, Protecting Inmates and Safeguarding Communities in the total amount of \$432,681, which includes a \$90,000 cash match and a \$126,619 in-kind match for a total match of \$216,619 to satisfy the County's match requirement; and acceptance of funding upon award; the term of the grant will be from October 1, 2019 through September 30, 2021.
17. Ratification of approval to submit a grant application to the US Department of Justice, Community Oriented Policing Services (COPS) for the solicitation entitled FY 2019 Law Enforcement Mental Health and Wellness Act (LEMHWA) Program in the amount of \$245,000 with no match requirement; and acceptance of funding upon award; the term of the grant will be from October 1, 2019 through September 30, 2021.

Item(s) Brought by District Attorney:

(Joe Gonzales)

18. Approval of an expenditure in the amount of \$4,200 for the payment of an invoice for custom challenge medals on behalf of the Bexar County District Attorney's Office.
19. Approval of an agreement with West Publishing Corporation d/b/a Thomson Reuters for subscriptions to the CLEAR PRO law enforcement investigation solution at a cost of \$1,115 per month with a 2% year over year increase and WEST PROFLEX computer-assisted legal research platform at a cost of \$5,432.85 per month with a 2% year over year increase both for a period of 60 months, subject to yearly appropriation of funds, on behalf of the Bexar County Criminal District Attorney's Office through a DIR-LGL-CALIR-02 contract.

Item(s) Brought by Civil District Court Administration:

(Peter Sakai)

20. Approval for Bexar County PEARLS Court to accept a monetary donation in the amount of \$45,000 contributed by PEARLS Foundation to support a Program Coordinator position for the PEARLS Court beginning July 31, 2019 to July 30, 2020.

Items(s) Brought by Purchasing

(Mary Quinones)

21. Authorizing contract modification No. 1 with Webber Commercial Construction, LLC in an amount of \$151,393 for expanded and additional construction services of the Justice Center/Paul Elizondo Tower Renovations, as requested by the Facilities Management Department; and authorizing the Purchasing Agent to execute and file the appropriate award documents for record.
22. Cancel and reject all bids for IFB Event 688 for Annual Fire Sprinkler and Fire Suppression Testing/Inspection services as requested by the Facilities Management Department.
23. Authorizing the renewal of an agreement with The Bubble Bath Carwash, L.L.C. to provide Bexar County with the purchase of Car Washing Services for the period beginning upon award and ending April 18, 2020 in the estimated annual amount of \$75,144, as requested by the Public Works Department/Fleet Division and authorizing the Purchasing Agent to file the appropriate award documents for record.

24. Award a contract to Gilbert's Utility and Concrete Work, Inc. (ESBE, HABE, MBE, SBE) for construction services for the City of Somerset K Street Reconstruction Project, in Precinct 1, in the amount of \$260,057 for the Community Resources Department and authorizing the Purchasing Agent to execute and file the appropriate award documents for record.
25. Awarding the extension of a requirement contract with M.E. Rodriguez LP to provide for the purchase of pauper funeral services for Bexar County, on a month-to-month basis under the same pricing, terms, and conditions in order to allow for evaluation of bids for award of a new requirement contract as requested by Economic and Community Development; and authorizing the Purchasing Agent to execute contract and file appropriate award documents for record.

Item(s) Brought by Public Works:

(Renee Green)

26. Approval of SAWS Field Alteration Request Number 1 between Bexar County and Curran Contracting Company requesting to increase contract amount by \$27,045 in connection with the Marshall Rd. Improvements Project, to be paid by SAWS at no cost to the County. Precinct Number 3.
27. Approval of the First Amendment to the Engineering Services Agreement between Bexar County and Don Durden, Inc. dba Civil Engineering Consultants, Inc. (SMWBE) for professional civil engineering design services will not result in an increase in project costs. The purpose of this Amendment is to delete services no longer required and reallocate that funding to other services needed at no additional cost for the Project. Precinct 1.
28. Approval of the conveyance by Special Warranty Deed of a County owned property to the Texas Department of Transportation, for the appraised value of \$1,560 from the Texas Department of Transportation to the County of Bexar for the purchase of a 20.33 foot x 15.37 foot property being a 0.0072 acre (312 square foot) tract of land situated in the J.M. Urriegas Survey 94, Abstract 770, Bexar County and being out of and part of the remainder of the called 1.30 acre tract of land (20 foot wide Drainage Ditch), described in the Deed to County of Bexar dated December 4, 1940 as recorded in Volume 1857, Page 389, of the Deed and Plat Records of Bexar County, Texas. Precinct Number 4.
29. Authorizing the sale of property struck off to Bexar County for delinquent taxes known as cause number 2016-TA1-00112; account number 021490000161; Tract No. 6: New City Block 2149 the west 30 Feet of the North 75 Feet of Lot 9 in the City Of San Antonio, Bexar County, Texas, as shown in Volume 00642, Page 0082 of the Deed and Plat Records of Bexar County, Texas; located at 638 Rivas for \$7,435 (the total adjudged value of the property plus code compliance cost) to Luis Galarza, pursuant to Section 34.05(h) of the Texas Tax Code and authorizing the execution of deed. Precinct Number 2.
30. Approval of subdivision plat#170501 within the Extra Territorial Jurisdiction of the City of San Antonio: Alamo Ranch Unit 46B Phase 1 PUD, owner: Pulte Homes of Texas, L.P., located northwest of Del Webb Boulevard (private) and Colbert Ferry (private), not within the Edwards Aquifer Recharge Zone. Precinct Number 1.
31. Approval of subdivision plat#180109 within the Extra Territorial Jurisdiction of the City of San Antonio: Alamo Ranch Unit 54 Phase 1 PUD, owner: Pulte Homes of Texas, L.P., located northwest of Del Webb Boulevard (private) and Paddling Pass (private), not within the Edwards Aquifer Recharge Zone. Precinct Number 1.

32. Approval of subdivision plat#180510 within the Extra Territorial Jurisdiction of the City of San Antonio: Blackbuck Ranch Phase 2 Unit 2 PUD, owner: Southerland Canyons III, LLC, located southwest of Nina Ridge (private) and Basse Canyon (private), not within the Edwards Aquifer Recharge Zone. Precinct Number 3.
33. Approval of subdivision plat#180511 within the Extra Territorial Jurisdiction of the City of San Antonio: Blackbuck Ranch Phase 2 Unit 3 PUD, owner: Southerland Canyons III, LLC, located southeast of Sloanes Ridge (private) and Kendall Canyon (private), not within the Edwards Aquifer Recharge Zone. Precinct Number 3.
34. Approval of subdivision plat#180590 within the Extra Territorial Jurisdiction of the City of San Antonio: Gateway 10 Caliber Collision, owner: MFP Foster Ranch, LP, located northeast of Sierra Sunset and N. Foster Road, not within the Edwards Aquifer Recharge Zone. Precinct Number 4.
35. Approval of subdivision plat#189010 within the Extra Territorial Jurisdiction of the City of San Antonio: Trails of Briggs Ranch Unit 3A PUD, owner: Northridge Homes Briggs Ranch, LLC, located southwest of Brazos Bend (private) and Lattigo Bend (private), not within the Edwards Aquifer Recharge Zone. Precinct Number 1.
36. Order accepting the following streets and drains in the identified subdivisions for County maintenance to begin June 4, 2019:

SUBDIVISION

Redbird Ranch, Unit 11-D-1
 Plat No. 160566
 Precinct #1

STREET/DRAIN

Fly Catcher 932.61 lf
 Asphalt Width: 28'
 Gray Catbird 39.00 lf
 Asphalt Width: 28'
 Night Heron 36.83 lf
 Asphalt Width: 28'
 Drain "A" 11.00 lf
 "Lot 107-Private Drain" 11.00 lf

Redbird Ranch, Unit 11-D
 Plat No. 130317
 Precinct #1

Gray Catbird 852.42 lf
 Asphalt Width: 28'
 Night Heron 212.85 lf
 Asphalt Width: 28'
 Drain "A" 11.00 lf
 "Lot 73-Private Drain" 11.00 lf

37. Approval to establish Traffic Control devices as Speed Zones and Stop Zones at specified locations in Precinct Number 1.

SPEED ZONE TO BE ESTABLISHED:

Precinct Number 1

The Speed Limit on McConnell Rd shall be 35 mph from F. M. 2790 southbound to the county line.

STOP ZONES TO BE ESTABLISHED:

Precinct Number 1

Redbird Ranch Unit 7D Plat #160343

The Stop Sign shall be on Cedar Waxwing at its intersection with Brown Thrasher. (1 stop)

The Stop Sign shall be on House Sparrow at its intersection with Cedar Waxwing. (1 stop)

The Stop Sign shall be on Common Eider at its intersection with House Sparrow. (1 stop)

The Stop Sign shall be on Cedar Waxwing at its intersection with Red Crossbill. (1 stop)

The Stop Signs shall be on Red Crossbill at its intersection with Hollimon Parkway. (2 stops)

Redbird Ranch Unit 7E Plat #180313

The Stop Signs shall be on Hollimon Parkway at its intersection with Brown Thrasher. (2 stops)

The Stop Signs shall be on House Sparrow at its intersection with Hollimon Parkway. (2 stops)

Item(s) Brought by Facilities Management:

(Dan Curry)

38. Approval of the second amendment to the Professional Services agreement between Bexar County and Sol Studio Architects, in the amount of \$12,440.00 for Architectural Services in connection with the new Classroom Building to be built at the Bexar County Firing Range located at 3805 Farm Rd.

Item(s) Brought by Community Supervision and Corrections Department:

(Jarvis Anderson)

39. Approval of a Request from Bexar County Community Supervision and Corrections Department to hire retiree Christine Sanchez as an Intake Specialist I (APNE-04) level salary of \$2,339.42 monthly effective June 5, 2018. This hiring conforms to Bexar County's Post Retiree Employment Policy.

Item(s) Brought by Office of Criminal Justice Policy, Planning & Programs:

(Mike Lozito)

40. Approval of an agreement between Bexar County and LadderLogik for planning services to the Bexar County Opioid Taskforce utilizing Fiscal Year 2018-2019 funding from grant number 2018-AR-BX-K052. The term of the agreement is from June 4, 2019 through September 30, 2019 in an amount not to exceed \$24,000.

Item(s) Brought by Resource Management:

(Tina Smith-Dean)

41. Approval of the first Amendment to Master Services Agreement between Aetna Life Insurance Company and Bexar County.
42. Approval of the Investment Quarterly Report for the 2nd Quarter of FY 2018-19 in accordance with Section 2256.023 (a) of the Texas Public Funds Investment Act.

43. Consideration and adoption of an order by the Commissioners Court of Bexar County, Texas, authorizing the issuance of Bexar County, Texas Tax-Exempt Venue Project Revenue Refunding Bonds (Combined Venue Tax), Series 2019 and Bexar County, Texas Tax-Exempt Venue Project Revenue Refunding Bonds (Motor Vehicle Rental Tax), Series 2019; providing the terms and conditions of such bonds and resolving other matters incident and relating to the issuance, payment, security, sale, and delivery of such bonds, including the approval and distribution of official statements pertaining to such bonds; authorizing the execution of Paying Agent/Registrar Agreements, Escrow Agreements, and Purchase Contracts pertaining to such bonds; complying with the requirements of the Depository Trust Company; enacting other provisions incident and related to the subject and purpose of this order; delegating the authority to certain members of the Commissioners Court and County staff to execute certain documents relating to the sale of the bonds; and providing an effective date.
44. Ratification to approve the execution of a negotiated contract extension of a Claims Service Agreement between Bexar County and Tristar Risk Management for an additional 60 days to include a negotiated flat service fee of \$62,500.

Item(s) Brought by Economic and Community Development:

(David Marquez)

45. Approval and Execution of the Management Agreement between Bexar County and the following outside agencies for a one-year period beginning October 1, 2018, and ending on September 30, 2019, in the amount listed below from the General Fund:

Musical Bridges Around the World	\$10,000
Catholic Charities	\$15,000
VIA Metropolitan Transit	\$8,000

Item(s) Brought by Commissioners Court:

(Court)

46. Approval of a request by Commissioner Sergio “Chico” Rodriguez to appoint Brian Fite to the Emergency Services District No. 2 Board of Commissioners to replace Randy McGinnis effective upon appointment and set to expire on December 31, 2019.
47. Approval of a request by Commissioner Sergio “Chico” Rodriguez to appoint Robert Pierce to the Emergency Services District No. 5 Board of Commissioners to replace Tammy LaBiche effective upon appointment and set to expire on December 31, 2020.
48. Approval of a request by Commissioner Kevin Wolff, Precinct 3, to appoint Meghan Garza to the Child Welfare Board for a term to begin upon appointment and expire on December 31, 2021.

Item(s) Brought by County Manager’s Office:

(David Smith)

49. Approval of the Amendment and Restatement of Master Interlocal Agreement between City of San Antonio and Bexar County.

INDIVIDUAL AGENDA ITEMS:

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

Item(s) Brought by County Manager's Office:

(David Smith)

50. Discussion and appropriate action regarding Bexar County's Legislative Program and the 86th Session of the Texas Legislature.

(Estimated Presentation Time: 10 minutes)

(Melissa Shannon)

Item(s) Brought by Economic and Community Development:

(David Marquez)

51. Presentation, discussion and appropriate action regarding an Incentive Application from Toyota Motor Corporation.

(Estimated Presentation Time: 10 minutes)

(David Marquez)

Item(s) Brought by Sheriff's Office:

(Javier Salazar)

52. Discussion and appropriate action regarding the ratification of approval to submit a grant application to the US Department of Justice, Bureau of Justice Assistance for the solicitation entitled *Body-Worn Camera Policy and Implementation Program* in the total amount of \$1,532,493 which includes \$521,095 cash match and a \$245,982 in-kind match for a total of \$767,077 as part of the County's match requirement; and acceptance of funding upon award; the term of the grant will be from October 1, 2019 through September 30, 2021.

(Estimated Presentation Time: 10 minutes)

(Javier Salazar)

Item(s) Brought by Heritage and Parks:

(Betty Bueche)

53. Presentation, discussion and appropriate action regarding the Plaza de Fundacion Art Piece, Creek Lines; and authorization for the San Antonio River Authority to proceed with the development and installation of the work.

(Estimated Presentation Time: 10 minutes)

(Betty Bueche)

Item(s) Brought by Facilities Management:

(Dan Curry)

54. Discussion and appropriate action regarding the approval of the Fifth Amendment to the CMAR agreement between Bexar County and Turner Construction, reducing the GMP in the amount of \$13,515,000; in relation to the ADC Annex Conversion Project.

(Estimated Presentation Time: 10 minutes)

(Dan Curry)

Item(s) Brought by Public Works:

(Renee Green)

55. Discussion and appropriate action regarding the Talley Road Phase II Metropolitan Planning Organization Transportation Improvement Project (MPO):
- a. Approval of Engineering Services Agreement between Bexar County and CP&Y, Inc. in the amount of \$2,647,745.10 for professional engineering services in connection with the Talley Road Phase II-Wiseman Boulevard to Tamron Pass Project. Precinct Number 1.
 - b. Approval of a Local Transportation Project Advance Funding Agreement (LPAFA) between Bexar County and the Texas Department of Transportation (TxDOT) for \$243,590 for the Talley Road Phase II-Wiseman Boulevard to Tamron Pass Project. Precinct Number 1.
- (Estimated Presentation Time: 10 minutes) (Renee Green)

Item(s) Brought by County Clerk:

(Lucy Adame-Clark)

56. Drawing 25 names from the 2018 Grand Jury List, nine (9) of which will serve on the 2019 Salary Grievance Committee; an additional nine (9) names are needed to serve as Alternates.
- (Estimated Presentation Time: 5 minutes) (Lucy Adame-Clark)

Item(s) Brought by District Attorney:

(Joe Gonzales)

57. Discussion and appropriate action regarding a settlement proposal in the following litigation: Jeanne Russell, et.al. v. Bexar County
- (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.

58. §551.071 Consultation with Attorney for advice regarding:

- a. Pending or contemplated litigation or settlement offers in the following matters:
 - i. Jeanne Russell, et.al. v. Bexar County
 - ii. Tyrone Lashawn Clay v. Juan Macias and Angel Limon
- 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. Right-of-way acquisition related to construction of State Highway 211 and ancillary agreements with Westside 211 Special Improvement District.

FILE INFORMATION

Posted: Friday, May 31, 2019 at 3:30 p.m.

Document Number: 26011

Date/Time: 5/31/2019 3:32:47 PM

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RECORDS OF BEXAR COUNTY

LUCY ADAME – CLARK

BEXAR COUNTY CLERK

Total Fees: \$0.00