



UG-98-2019-26244

BEXAR COUNTY, TEXAS COMMISSIONERS COURT

NOTICE OF PUBLIC MEETING

The Bexar County Commissioners Court will meet on **Tuesday, September 3, 2019 at 9:00 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: Sister Grace Walle (Justin Rodriguez)
2. Pledge of Allegiance: (Court/Justin Rodriguez)

COMMISSIONERS COURT REGULAR AGENDA

3. TIME CERTAIN PRESENTATION ITEM(S)

a. 9:00 a.m. Public Hearing for the following items:

- i. Accept public comment regarding the proposed Bexar County Ad Valorem Tax Rate of \$0.301097 per \$100 valuation for Tax Year 2019 in support of its Operating and Capital Budget for Fiscal Year 2019-20.
(Estimated Presentation Time: as required) (Seth McCabe)
- ii. Accept public comment on setting the 2019 tax rate for the Bexar County Hospital District d/b/a University Health System.
(Estimated Presentation Time: as required)

- b. 9:30 a.m.: Presentation, discussion and appropriate action regarding the Workforce Solutions-Alamo 2019-2020 program year budget.
(Estimated Presentation Time: 15 minutes) (David Marquez)

4. CEREMONIAL ITEM(S):

- a. Presentation of a Proclamation on behalf of Commissioners Court honoring WWII Veteran and POW Odón S. Cardenas 100th Birthday.
(Estimated Presentation Time: 5 minutes) (Court/Justin Rodriguez)

5. Request of Commissioners Court to identify items from the Consent Agenda for additional discussion and to approve remaining Consent Agenda items.

6. Filing for record the following legal and administrative documents and directing the Criminal District Attorney's Office to take action, if necessary:
 - a. Notice of Claim submitted by Steptoe & Johnson PLLC, Re: SS Ventures, Inc., d/b/a Nationwide ATM.
 - b. Bexar County Constable Precinct 1 FY 2019 – 2020 Budget for Federal Asset Forfeiture Fund - 315, State Asset Forfeiture Fund - 314, and Law Enforcement Officers Special Education (LEOSE) Fund - 116.
 - c. Notice of Eminent Domain Award, Re: The State of Texas v. Cowboys Far West, LTD., a Texas LP, et al, Cause No. 2018-ED-0011.
 - d. Bexar County Sheriff's Office FY 2019 Budget for State Asset Forfeiture Fund – 312.
 - e. Citation directed to Nelson W. Wolff, and Plaintiff's Original Petition, Re: Maria De Lourdes Gonzalez vs. Bexar County Constable, Precinct 2, and SOCA Funding LLC, Case No. 2019-CI-16060.
 - f. Budgets for the District Attorney's Office for its LEOSE Funds, State Asset Forfeiture Funds, Federal Asset Forfeiture Funds, Check Section Funds, Comptroller Funds, and Gambling Funds for FY 2020.
 - g. Agreement between Bexar County and San Antonio River Authority (SARA), Re: San Pedro Creek Improvement Project, approved June 18, 2019.
 - h. U.S. District Court - Summons in a Civil Action Directed to County of Bexar, Hon. Nelson Wolff, and First Amended Original Complaint, Re: Ryan M. Frost v. Javier Salazar, et. al., Civil Action No. 5:19-CV-00469-JKP and No. 5:19-CV-00469-DAE.
 - i. Notice of Claim, Spoliation and Request for Information submitted by Calfas Law Group, PLLC, Re: Alexander Wise.
7. Commissioners Court minutes for August 20, 2019.
8. 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)

9. Approval of bills to include claims registers for Wednesday, August 21, 2019 and Friday, August 23, 2019; Wednesday, August 28, 2019 and Friday, August 30, 2019.
10. Authorization to distribute upcoming payrolls, including overtime, uniform allowances, and auto allowances to be paid on Friday, September 13, 2019.
11. Approval of an Order authorizing fees for service of civil process, or attempted service of civil process, to be effective January 1, 2020.
12. Authorization and approval for the County Auditor to pay routine bills from Tuesday, September 3, 2019 through Friday, September 6, 2019.
13. Request approval according to Section 31.11 for \$38,802.60 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.

Item(s) Brought by District Attorney:

(Joe Gonzales)

14. Approval of a request from the Bexar County Criminal District Attorney to provide additional pay from its Asset Forfeiture Account (307) for \$5,727.36 annually to Criminal District Attorney employee, Ruben Segovia (employee # 12131) effective September 3, 2019.
15. Approval of a request from the Bexar County Criminal District Attorney to provide additional pay from its Asset Forfeiture Account (307) for \$4,800 annually to Criminal District Attorney employee, Joe Toscano (employee # 38161) effective September 3, 2019.

Items(s) Brought by Purchasing

(Mary Quinones)

16. Awarding a renewal to Interlocal Agreements with Suburban Cities.
17. Awarding the renewal of a requirements contract for the purchase of Parts & Services for Bexar County Chevrolet vehicles with Tejas Chevrolet Company, Inc. dba Northside Chevrolet in the estimated annual contract amount of \$289,000 beginning October 1, 2019 and ending September 30, 2020 under the same pricing, terms and conditions, as requested by the Public Works Department; and authorizing the Purchasing Agent to execute the contract modification and file the appropriate award documents for record.

18. Awarding the renewal of a requirements contract with XL Parts, LLC to provide for the purchase of Batteries (Automotive and Equipment) in the estimated annual amount of \$66,000 beginning October 1, 2019 and ending September 30, 2020 under the same pricing, terms and conditions, as requested by the Public Works Department; and authorizing the Purchasing Agent to execute the contract modification and file the appropriate award documents for record.
19. Awarding the renewal of a requirements contract with Grande Truck Sales, Inc. to provide for the purchase of Parts & Services for Medium and Heavy-Duty Trucks in the estimated annual contract amount of \$100,000 beginning October 1, 2019 and ending September 30, 2020 under the same pricing, terms and conditions, as requested by the Public Works Department; and authorizing the Purchasing Agent to execute the contract modification and file the appropriate award documents for record.
20. Awarding an extension of requirement contracts with M.E. Rodriguez LP to provide for the purchase of pauper funeral services and First Memorial Park Cemetery to provide for the purchase of pauper burial services for Bexar County. This extension is for 90 days under the same pricing, terms, and conditions as requested by Economic and Community Development; and authorizing the Purchasing Agent to execute contract and file appropriate award documents for record.
21. Approval to declare ten (10) vehicles surplus for auction in accordance with Local Government Code 263.152. (A)(1)(C)(6).

Item(s) Brought by Public Works:

(Renee Green)

22. Approval of three Interlocal Agreements for joint bidding with the South Hausman Road Low Water Crossings, LC5, Precinct 3:
 - a. Interlocal Agreement between Grey Forest Utilities (GFU) in the amount of \$108,269 received from GFU for their participation in joint-bidding this project and at no cost to the County.
 - b. Interlocal Agreement between CPS Energy in the amount of \$110,141 received from CPS Energy for their participation in joint-bidding this project and at no cost to the County.
 - c. Interlocal Agreement between San Antonio Water System (SAWS) in the amount of \$581,155 received from SAWS for their participation in joint-bidding this project and \$430,535 to be paid by Bexar County for engineering design fees and partial construction cost associated with the project.
23. Approval of SAWS Field Alteration Request Number 2 between Bexar County and Curran Contracting Company requesting to increase contract amount by \$40,566 in connection with the Marshall Rd. Improvements Project, to be paid by SAWS at **no cost to the County**. Precinct Number 3.
24. Approval of subdivision plat#180038 within the Extra Territorial Jurisdiction of the City of San Antonio: Silos Unit 1A, owner: Lennar Homes of Texas Land & Construction, LTD, located southwest of US Hwy 90 and Masterson Road, not within the Edwards Aquifer Recharge Zone. Precinct Number 1.
25. Approval of subdivision plat#180042 within the Extra Territorial Jurisdiction of the City of San Antonio: Napa Oaks Unit 6B PUD, owner: Napa Oaks SA, LTD, located northeast of Dana Creek Drive (private) and Carmel Grove (private), not within the Edwards Aquifer Recharge Zone. Precinct Number 3.

26. Approval of subdivision plat#180303 within the Extra Territorial Jurisdiction of the City of San Antonio: Ladera Unit 1D Enclave, owner: Ladera I, LLC, located northwest of Tortuga Verde (private) and Verde Azul (private), not within the Edwards Aquifer Recharge Zone. Precinct Number 1.
27. Approval of subdivision plat#180366 within the Extra Territorial Jurisdiction of the City of San Antonio: Ridge Creek Unit 3 PUD, owner: IH-10 Partners LTD., located south of Nichols Pass (private) and Dana Creek Drive (private), not within the Edwards Aquifer Recharge Zone. Precinct Number 3.
28. Approval of subdivision plat#180395 within the Extra Territorial Jurisdiction of the City of San Antonio: Waterford Park Unit 8A, owner: Daphne Development, LLC, located northwest of Waterford Path and Taverns Turn, not within the Edwards Aquifer Recharge Zone. Precinct Number 2.
29. Approval of subdivision plat#180410 within the Extra Territorial Jurisdiction of the City of San Antonio: Waterwheel Unit 4 Collector, owner: Lennar Homes of Texas Land and Construction, LTD, located north of Cheshire and Landa Falls, not within the Edwards Aquifer Recharge Zone. Precinct Number 2.
30. Approval of subdivision plat#180412 within the Extra Territorial Jurisdiction of the City of San Antonio: Waterwheel Unit 4A, owner: Lennar Homes of Texas Land and Construction, LTD, located west of Landa Falls and Cheshire Way, not within the Edwards Aquifer Recharge Zone. Precinct Number 2.
31. Approval of subdivision plat#180418 within the Extra Territorial Jurisdiction of the City of San Antonio: Westpointe East Unit 33 Phase 9, owner: Perry Homes, LLC, located southeast of Hellas Ranch and Elysian Trail, not within the Edwards Aquifer Recharge Zone. Precinct Number 1.
32. Approval of subdivision plat#180430 within the Extra Territorial Jurisdiction of the City of San Antonio: Valley Ranch Unit 5B, owner: Continental Homes of Texas, L.P., located southwest of Ranch Bend and Ranch View East, not within the Edwards Aquifer Recharge Zone. Precinct Number 2.
33. Approval of subdivision plat#180431 within the Extra Territorial Jurisdiction of the City of San Antonio: Valley Ranch Unit 6A, owner: Continental Homes of Texas, L.P., located southwest of Ranch Bend and Samsel Falls, not within the Edwards Aquifer Recharge Zone. Precinct Number 2.
34. Approval of subdivision plat#180500 within the Extra Territorial Jurisdiction of the City of San Antonio: Highpoint Unit 2B, owner: Ladera I, LLC, located northeast of Dewfall Lane and Ladera Hills, not within the Edwards Aquifer Recharge Zone. Precinct Number 1.
35. Approval of subdivision plat#180612 within the Extra Territorial Jurisdiction of the City of San Antonio: Resort Parkway Extension-2 Enclave, owner: TF Cibolo Canyons, LP, located southwest of TPC Parkway and Cibolo Canyons, within the Edwards Aquifer Recharge Zone. Precinct Number 3.
36. Approval of subdivision plat#1890030 within the Extra Territorial Jurisdiction of the City of San Antonio: Campanas Phase 7A/7C, owner: TF Cibolo Canyons, LP, located southwest of TPC Parkway and Resort Parkway (private), within the Edwards Aquifer Recharge Zone. Precinct Number 3.
37. Approval of subdivision plat#19-11800032 within the Extra Territorial Jurisdiction of the City of San Antonio: Horizon Pointe Unit 12B, owner: HPSA Land Partners, LLC, located West of Phoenix Path and Woodlake Parkway, not within the Edwards Aquifer Recharge Zone. Precinct Number 4.

38. Approval of subdivision plat#CP201810 within the Extra Territorial Jurisdiction of the City of St. Hedwig: Hallies Ranch Unit 2, owner: CW-Hallies Ranch LLC, located northeast of Abbott Road and F.M. 1518, not within the Edwards Aquifer Recharge Zone. Precinct Number 4.
39. Authorizing the sale of property struck off to Bexar County for delinquent taxes known as cause number 2017-TA1-01024 and 2004-TA1-04597; account number 138020020063; New City Block 13802 Block 2 the North Irregular 517.38 of Lot 6 the East Irregular 28.36 feet of the West Irregular 248.58 feet of Lot 7 all of Lot 7A Minot Austin Highway Acres in the City of San Antonio, Bexar County, Texas, as shown in Volume 00980, Page 0412 of the Deed and Plat Records of Bexar County, Texas; located at 5319 Crestway Dr. for \$276,320 (the total adjudged value of the property) to Maia Properties, LLC, pursuant to Section 34.05(h) of the Texas Tax Code and authorizing the execution of deed. Precinct Number 4.
40. Authorizing the sale of property struck off to Bexar County for delinquent taxes known as cause number 2017-TA1-01390; account number 096340000130; New City Block 9634 Lots 13 and 14 Skyline Addition in the City of San Antonio, Bexar County, Texas; as shown in volume 02575, page 0070 of the Deed and Plat Records of Bexar County, Texas; located at 143 Cloudhaven Dr. for \$26,394 (the total amount of judgments against the property) to Dorian and Vy Calfas pursuant to Section 34.05(h) of the Texas Tax Code and authorizing the execution of deed. Precinct Number 4.
41. Approval of Final Recapitulation of project cost between Bexar County and SAECO Electric & Utility, Ltd. (SMWBE) in connection with Public Works Capital Project, Marbach Rd at Bear Springs Traffic Signal Project. The recapitulation shows an increase of \$13,890. The recapitulation shows a final construction amount of \$226,070. Precinct Number 1.
42. Approval to establish Traffic Control devices as No Thru Truck Zones at specified locations in Precinct Number 1.

NO THRU TRUCK ZONES TO BE ESTABLISHED:

Precinct Number 1

The No Thru Truck Sign shall be on Big Wolf Creek from Marbach Rd to end of road and read: "Trucks Over 1 Ton Prohibited (except local delivery)".

The No Thru Truck Sign shall be on Falcon Wolf from Loop 1604 West to end of road and read: "Trucks Over 1 Ton Prohibited (except local delivery)".

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

(Mike Lozito)

43. Approval and execution of a First Amendment to a Personal Services Agreement between Bexar County and Dr. Durant Frantzen to conduct Program Evaluation Services for the Year 3 ReCAST Grant for a term of September 30, 2018 to September 29, 2019, funding shall not exceed \$25,000 out of the Substance Abuse and Mental Health Services Administration Grant #1H79SM063519-03.
44. Approval and execution of the First Amendment to an Agreement for Professional Services between Bexar County and Alpha Home for substance abuse treatment services in the amount of \$20,000 from the Criminal Justice Division grant# 2047011 for participants of the Felony Adult Criminal Drug Court for the term of September 1, 2018 to September 30, 2019.

45. Approval and execution of a first amendment and extension to an agreement with the Center for Healthcare Services (CHCS) to increase funding by \$270,564 for treatment services to participants of the Felony and Misdemeanor Adult Drug Courts utilizing grant funding from Criminal Justice Division grant #2047011; Bureau of Justice Assistance, #2017-DC-BX-0018 and #2018-MO-BX-0028; Substance Abuse and Mental Health Services, grant #6-H79TI026078-03L004 for a term beginning March 1, 2018 through February 28, 2020; and not exceed \$524,614.
46. Approval of a discretionary exemption for Bexar County Crime Lab to purchase equipment in the amount of \$104,333.36 for determination of marijuana/hemp necessary to preserve or protect the public health or safety of residents of the county. Request approval to buy in this fiscal year due to lead time of 6 weeks and to include the appropriate budgetary amendment.
47. Approval and execution of the following agreements for services provided to target populations by the Center for Health Care Service (“CHCS”) to include,
 - a. the First Amendment to Interlocal Cooperation, Operating and License Agreement;
 - b. the 2018 Annual Services Supplement to Inner City Center Operating Agreement; and
 - c. the 2019 Annual Services Supplement to Inner City Center Operating Agreement.

Item(s) Brought by Resource Management:

(Tina Smith-Dean)

48. Approval of the Investment Quarterly Report for the 3rd Quarter of Fiscal Year 2018-19 in accordance with Section 2256.023(a) of the Texas Public Funds Investment Act.

Item(s) Brought by Economic and Community Development:

(David Marquez)

49. Appropriate action regarding the Reprogramming of HOME Investment Partnerships Program Funds and Second Amendment between Bexar County and Alamo Community Group in the amount of \$119,701.93.
50. Approval of an Innovation Fund grant agreement in the amount of \$20,000 with Digital Creative Institute.
51. 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:

Dream Voice	\$5,000
Jefferson Area Outreach for Older People	\$15,000
Johnny Hernandez Foundation	\$25,000
San Antonio Food Bank	\$50,000
Urban 15	\$50,000

Item(s) Brought by Facilities Management:

(Dan Curry)

52. Approval of the second amendment to the Professional Services Agreement with West East Design Group, LLC. An increase in the amount of \$2,400 related to the design changes for the Vista Verde Tax Office Modifications.
53. Approval of second amendment with Toxey/Mcmillan Design Associates, LLC in the amount of \$75,265 for the Bexar County Heritage Center additions to include overhead monitor, kiosk, interpretive panels and exhibit redevelopment.

Item(s) Brought by Commissioners Court:

(Court)

54. Approval of a request from Commissioner Tommy Calvert, Precinct 4, to appoint Stacy George to replace Edward Ortiz on the Emergency Services District No. 1 Board for a term to begin upon appointment and expire September 30, 2021.

Item(s) Brought by Tax Assessor-Collector:

(Albert Uresti)

55. Approval of an agriculture rollback tax and interest waiver for Hands-Up Homes, LLC for Habitat for Humanity of San of Bexar County, further identified as 90.5065 acres located on Watson Rd., San Antonio, Bexar County, in the amount of \$6,597.62. in accordance with Texas Property Tax Code Section 23.55.

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

(Kyle Coleman)

56. Authorizing the Bexar County Judge to sign the Texas A&M Forest Service Memorandum of Understanding supporting deployment and reimbursement of county employees to statewide or national disasters and incidents.

INDIVIDUAL AGENDA ITEMS:

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

Item(s) Brought by Public Works:

(Renee Green)

57. Discussion and appropriate action regarding approval of 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 High Sierra Electronics to provide for the construction/installation at a cost of \$2,306,930 and the approval of three Interlocal Agreements and one Advanced Funding Agreement for the High Water Detection System Phase IV, CW1 also known as the HALT (Highwater Alert Lifesaving Technology) Systems county-wide.

(Estimated Presentation Time: 10 minutes)

(Renee Green)

Items(s) Brought by Economic and Community Development

(David Marquez)

58. Presentation, discussion and appropriate action regarding an Economic Development Innovation Grant for Tech Bloc in support of the 2019 Tech Fuel talent development competition.
(Estimated Presentation Time: 10 minutes) (David Marquez)

Item(s) Brought by County Auditor:

(Leo Caldera)

59. Discussion and approval of Bexar County's 2020 calendar year required contribution rate, basic benefits, provisions, and any plan changes for the County's Retirement Plan with Texas County and District Retirement System (TCDRS).
(Estimated Presentation Time: 5 minutes) (Leo Caldera)

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

(Mike Lozito)

60. Discussion and appropriate action regarding a Professional Services Agreement between Bexar County and the Center for Health Care Services ("CHCS") for the County to contribute \$2,203,000 in general funds to provide mental health and support services in order to restore mental health to mentally ill persons, to divert persons from incarceration, and to facilitate their entry into treatment.
(Estimated Presentation Time: 5 minutes) (Mike Lozito)

Item(s) Brought by District Attorney:

(Joe Gonzales)

61. Discussion and appropriate action regarding pending or contemplated litigation: Moreno and De La Cerda v. Bexar County, 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.

62. **§551.071 Consultation with Attorney for advice regarding:**

- a. Pending or contemplated litigation or settlement offers in the following matters:
i. Moreno and De La Cerda v. Bexar County, et al.

FILE INFORMATION

Document Number: 26244

Date/Time: 8/30/2019 3:33:05 PM

Total Pages: 10

**FILED IN THE OFFICIAL PUBLIC
RECORDS OF BEXAR COUNTY**

**LUCY ADAME – CLARK
BEXAR COUNTY CLERK**

Total Fees: \$0.00

Posted: Friday, August 30, 2019 at 3:45 p.m.