

BEXAR COUNTY, TEXAS COMMISSIONERS COURT



UG-98-2019-25755

NOTICE OF PUBLIC MEETING

The Bexar County Commissioners Court will meet on **Tuesday, February 12, 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: Michael Garofalo (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 recognizing February 12, 2019 as "San Antonio Men's Senior Baseball League Day."
(Estimated Presentation Time: 5 minutes) (Nelson W. Wolff/Court)
- b. Presentation of a Proclamation on behalf of Commissioners Court recognizing March 2, 2019 as "St. Luke Men's Club Wild Game Dinner Day."
(Estimated Presentation Time: 5 minutes) (Nelson W. Wolff/Court)
- c. Presentation of a Proclamation on behalf of Commissioners Court recognizing May 23, 2019 to be a day of observance for Texas A&M University-San Antonio's 10th Anniversary.
(Estimated Presentation Time: 5 minutes) (Nelson W. Wolff/Court)
- d. Presentation of service pins recognizing employees for 25 and 30 years of service:

Name	Years	Date Employed	Department
Diana Fox	30	12/27/1988	Sheriff
Ramon Martinez	30	12/27/1988	Sheriff
Roger Pedraza	30	12/27/1988	Sheriff
Christine McLain	25	12/13/1993	Sheriff

(Estimated Presentation Time: 5 minutes)

(Court)

4. SPECIAL PRESENTATION ITEM(S)

- a. Presentation by Dr. Kevin Downey, CEO, Crosspoint Inc., to provide an update on the Behavioral Health Residential Program.
(Estimated Presentation Time: 15 minutes) (Tommy Calvert)
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. Bexar County Constable Precinct 1 2018 Racial Profiling Report.
 - b. Eleventh Amendment to Lease Agreement between Bexar County, Texas and 8918 Tesoro Partners, LLC, approved September 11, 2018.
 - c. Notice of Hearing Re: The State of Texas v. Icon Interchange South Owner Pool 2, LLC, A Delaware Limited Liability Company, Et Al in Case No. 2018ED0014.
 - d. Statement of Officer and Oath of Office for Justice of the Peace, Precinct 4, Place 1, Rogelio Lopez, Jr.
 - e. Bexar County District Attorney, Revised Budget for Federal Asset Forfeiture Fund - 308.
 - f. Bexar County Sheriff's Office FY 2019 Budget for State Asset Forfeiture Fund – 312.
 - g. Agreement for Cafeteria Concession Services at the Cadena-Reeves Justice Center and Legal Eats, LLC, approved December 11, 2018.
 - h. Order for Appointment of Temporary Justices of the Peace: Jack Price, William Donovan, Alfredo Tavera, Gary Hutton, David Peebles and Al Alonso.

7. Commissioners Court minutes for January 29, 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:

(Susan Yeatts)

9. 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 \$27,886. The Commissioners Court is not hereby adopting a special budget.
10. Request approval according to Section 31.11 for \$132,317.37 in refunds for payments received by the Tax Assessor-Collector's Office in the form of tax overpayments made on 22 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.
11. Approval of bills to include claims registers for Wednesday, January 30, 2019 and Friday, February 1, 2019, Wednesday, February 6, 2019 and Friday, February 8, 2019.
12. Authorization to distribute upcoming payroll, including overtime, uniform allowances, and auto allowances to be paid on Friday, February 15, 2019.

13. Authorization and approval for the County Auditor to pay routine bills from Monday, February 11, 2019 through Friday, February 22, 2019.
14. Approval of Tax Assessor-Collector's Report of Taxes collected in January 2019 and approval of the order transferring tax collections for the month of January 2019 from unallocated receipts.
15. 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 2019. Notification of payment to those employees who have accumulated hours in excess of the FLSA maximum level for an estimated amount of \$79,607 and approval of the appropriate budgetary transfers.

Item(s) Brought by Sheriff's Office:

(Javier Salazar)

16. Authorization and approval for the Auditor to pay invoices from the Sheriff's Office from Fiscal Year 19 invoice(s) in the amount of \$6,462.69 for services from Veridicus Inc. \$450, Nova Healthcare \$111.90, Digitelligent (SOP) \$1,380, and Karnes County \$4,520.79. These services were provided to the BCSO prior to the creation of a purchase order, i.e. vendors with no contract and or no available funding as requested in the budget.
17. Authorization and approval for the Auditor to pay invoices from the Sheriff's Office from Fiscal Year 18 invoice(s) in the amount of \$18,169.80 for services from Veridicus \$900, Methodist Specialty \$3,000, Industrial Communications \$14,269.80. These services were provided to the BCSO prior to the creation of a purchase order, i.e. vendors with no contract and or no available funding as requested in the budget.

Item(s) Brought by District Attorney:

(Joe Gonzales)

18. Approval of a request from the Bexar County Criminal District Attorney's Office to rehire retiree Daryl Fonseca as an Investigator – DA's Office (NE-11) position at entry level salary of \$4,122 per month effective February 18, 2019. This hiring conforms to Bexar County's Post Retirement Employment Policy.

Items(s) Brought by Purchasing

(Mary Quinones)

19. Awarding a contract to the lowest and best bid submitted by CRI Electric, Inc. (SVMHE) for the purchase of a replacement emergency generator at the Forensic Science Center in the amount of \$654,806 as requested by the Facilities Management Department; and authorizing the Purchasing Agent to execute and file the appropriate award documents for the record.
20. Awarding a contract to Interstate Barricades and Markings to provide for the purchase of various construction/maintenance services of Pavement Markings on highways and streets on a requirements basis in the estimated amount of \$293,062.29, as requested by the Public Works Department; and authorizing the Purchasing Agent to execute and file the appropriate award documents for record.
21. Awarding a delivery order for the purchase of four Scorpion TL3 Trailer Attenuators from Dallas Lite & Barricade, Inc. as requested by the Public Works Department, in the amount of \$103,529.92; and authorizing the Purchasing Agent to execute contract and file the appropriate award documents for record and approval of the appropriate budgetary transfer.

22. Granting a discretionary exemption to the competitive bidding requirements set forth in the Texas County Purchasing Act for the purpose of awarding purchase orders on a sole source basis to Trafficware Group, Inc. to provide the needed proprietary software for maintaining previously purchased signal traffic controllers from Trafficware Group in the estimated annual amount of \$69,330 as requested by Public Works.
23. Approval to declare four (4) vehicles surplus for auction in accordance with Local Government Code 263.152. (A)(1)(C)(6).
24. Authorizing the removal and sale of surplus firearms to retired Bexar County Sheriff's Deputy Gregory S. Blokey, and Deputy Henry S. Vasquez in the amount of \$414 each, in accordance with attached Surplus Firearm Equipment List, as requested by the Sheriff's Office; and authorizing the Purchasing Agent to update the Bexar County Inventory Records and file the appropriate documents for record.

Item(s) Brought by Public Works:

(Renee Green)

25. Approval to negotiate contract for the provision of Professional Engineering Services for Talley Road Phase II (MPO) –Wiseman Blvd to Tamron Pass Project, Precinct 1, with CP&Y, Inc. (SMWBE).
26. Approval of the Consulting Services Agreement with Blair Wildlife, LLC., to commence March 1, 2019 through March 31, 2020, to continue with implementation of the Southern Edwards Plateau Habitat Conservation Plan (SEP-HCP) in the amount not to exceed \$50,000 from Bexar County, \$50,000 to be paid by the City of San Antonio and the remaining \$120,000 to be paid by SEP-HCP revenues.
27. Approval of the Seventh Amendment to the Engineering Services Agreement between Bexar County and Lockwood, Andrews & Newnam, Inc. for professional civil engineering design services increasing the contract by \$100,601.26 to update WPAP and USACE permits that expired due to delays caused by the relocation of the CPS surface utility poles and to perform additional biological studies as required by TxDOT and the USFWS associated with the project. The total amount will not exceed \$1,831,523.78 for the design fee related to the Bulverde Road Phase IV Project (MPO). Precinct 3.
28. Approval of subdivision plat#180196 within the Extra Territorial Jurisdiction of the City of San Antonio: Whisper Falls Unit 4A, owner: Continental Homes of Texas, L.P., located southwest of US Hwy 90 and Whisper Way, not within the Edwards Aquifer Recharge Zone. Precinct Number 1.
29. Approval of subdivision plat#CP201610 outside of the Extra Territorial Jurisdiction of the City of San Antonio: Wisdom Road Estates, owner: Adolf Pruneda, located southwest of Wisdom Road and Brewer Road, not within the Edwards Aquifer Recharge Zone. Precinct Number 1.
30. Approval of a Permanent Drainage Easement being comprised of a 0.242 acre tract of land located in the J.J. Sanchez Survey No. 83, Abstract Number 666, County Block 4408, Bexar County, Texas and same being a portion of that certain called 0.3366 acre tract of land conveyed to SPH Culebra, Ltd., owner of record, as recorded in Volume 18008, Page 1557, Official Public Records of Bexar County, Texas as part of the Old FM 471 and Talley Road Project, at no cost to Bexar County, Precinct Number 1.

31. Approval to close, vacate and abandon three tracts of land being a portion of Old Culebra Road located in western Bexar County, Texas, said properties are considered excess right of way and will be transferred to the abutting owners of record in accordance with Transportation Code Section 251.058(b). Precinct 1.
- A. Tract 1- a 0.590 of an acre of land being a portion of Old Culebra Road, as depicted on a Texas State Highway Department Right-of-Way Map dated March 1952, CSJ 849-1-1, described as Farm to Market Highway 1105 (F.M 471) from Medina County Line to Galm Road, said Tract-1 conveyed to the abutting owners of record, SPH Culebra, Ltd., a Texas limited partnership and it's successors and assigns.
 - B. Tract 2- a 0.038 of an acre of land being a portion of Old Culebra Road, as depicted on a Texas State Highway Department Right-of-Way Map dated March 1952, CSJ 849-1-1, described as Farm to Market Highway 1105 (F.M 471) from Medina County Line to Galm Road, said Tract-2 conveyed to the abutting owners of record, SPH Culebra, Ltd., a Texas limited partnership and it's successors and assigns.
 - C. Tract 3- a 0.469 acre tract of land being a portion of Old Culebra Road, as depicted on a Texas State Highway Department Right-of-Way Map dated March 1952, CSJ 849-1-1, described as Farm to Market Highway 1105 (F.M 471) from Medina County Line to Galm Road, said Tract-3 conveyed to the abutting owners of record, Daphne Development, L.L.C. and it's successors and assigns.
32. Authorizing acceptance of a 0.140 acre tract of land for use as expanded road right-of-way and a 0.444 acre tract of land being a Permanent Drainage Easement from the abutting property owner Daphne Development, LLC, as needed for the Old FM 471 and Talley Road Project, at no cost to Bexar County, Precinct Number 1:
- A. A 0.140 acre tract of land located in the J.J. Sanchez Survey No. 83, Abstract No. 666, County Block 4451, Bexar County, Texas, same being a portion of that certain called 4.158 acre tract of land designated as Tract 2 conveyed to Daphne Development, LLC, as recorded in Volume 15884, Page 796, of the Deed Records of Bexar County, Texas, owner of record.
 - B. 0.444 acre tract of land located in the J. J. Sanchez Survey No. 83, Abstract No. 666, County Block 4451 and the Luis Gonzaba Survey No. 84, Abstract No. 253, County Block 4408, Bexar County, Texas, same being a portion of that certain called 4.158 acre tract of land designated as Tract 2 conveyed to Daphne Development, LLC, as recorded in Volume 15884, Page 796, Official Public Records of Bexar County, Texas and a portion of Old Culebra Road owner of record.
33. Authorizing the sale of property struck off to Bexar County for delinquent taxes known as cause number 2012-TA1-03556; account number 012310370041; Tract No. 1: New City Block 1231 Block 37 Lots 4, 5, and 6 in the City of San Antonio, Bexar County, Texas, as shown in Volume 09537, Page 0442 of the Deed and Plat Records of Bexar County, Texas; located at 600 Walmer-1 for \$1,000 (the total adjudged value of the property) to Marek Gabriel Sieczynski, pursuant to Section 34.05(h) of the Texas Tax Code and authorizing the execution of deed. Precinct Number 4.

34. Approval to establish Traffic Control devices as No Parking Zones and No Thru Truck Zones at specified locations in Precinct Numbers 2 and 3.

NO PARKING ZONES TO BE ESTABLISHED:

Precinct Number 2

No Parking Anytime (tow away zone)

Parking shall be prohibited on Addison Ridge east side of street only from Ranch Bend northbound 150 ft.

Precinct Number 3

No Parking Anytime (tow away zone)

Parking shall be prohibited on Velvet Rose east side of street only from Lilac Mist southbound 110 ft.

NO THRU TRUCK ZONES TO BE ESTABLISHED:

Precinct Number 2

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

The No Thru Truck Signs shall be on Wildhorse Pkwy from Braun Rd to Shaenfield Rd and read: "Trucks Over 1 Ton Prohibited (except local delivery)".

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

Item(s) Brought by Economic and Community Development:

(David Marquez)

35. Approval and authorization for the Economic Development Department to pay an invoice as submitted by CodeUp, LLC in the amount of \$500 for sponsorship of the celebration of their 5th anniversary of their formation.
36. Approval and execution of the Public Service Agreement between Bexar County and Somerset Senior Citizens Center for the Somerset Senior Program Support and Transportation Project utilizing Program Year 2018 Community Development Block Grant funds in the amount of \$30,000.
37. Approval and execution of the Public Service Agreement between Bexar County and Greater Randolph Area Services Program (GRASP) for the Rental Assistance Project utilizing Program Year 2018 Community Development Block Grant funds in the amount of \$20,000.
38. Approval and execution of the Public Service Agreement between Bexar County and Greater Randolph Area Services Program (GRASP) for Northeast Senior Meals and Transportation Project utilizing Program Year 2018 Community Development Block Grant funds in the amount of \$30,000.
39. Approval of an agreement to provide Community Development Block Grant program funds in the amount of \$402,912 for the reconstruction of Hickory Hill Drive from Taube to Harris to include sidewalks and curbs located in the City of Kirby.
40. Approval of an agreement to provide Community Development Block Grant program funds in the amount of \$277,000 for the reconstruction of approximately 655 linear feet of Glenarm Street in the City of Balcones Heights.

41. Approval of an agreement to provide Community Development Block Grant program funds in the amount of \$302,632 for the reconstruction of approximately 960 feet of water main, 750 feet of sewer main on Blacksmith Ln. and Wagon Spoke located in the City of Leon Valley.
42. Approval of an agreement to provide Community Development Block Grant program funds in the amount of \$600,000 for approximately 740 cubic yards of earth excavation; 400 linear feet of concrete retaining walls; 630 square yards of concrete riprap; vehicle and pedestrian access ramps and transitions; fencing; yard restoration; and utility conflict solutions located in Universal City.
43. 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:

SATX Inner City Development	\$10,000
-----------------------------	----------

Item(s) Brought by Facilities Management:

(Dan Curry)

44. Approval of the first amendment to the Professional Services Agreement with GGC Engineers, INC., an increase in the amount of \$44,900 related to the design of re-routed water lines, a water softener, domestic water pump system, and hot water boiler replacement for Tower A of the Adult Detention Center.
45. Approval of a resolution related to Texas Local Government Code 212.903, Construction and Renovation on County-owned Buildings or Facilities in Certain Counties.

Item(s) Brought by Judicial Services:

(Mike Lozito)

46. Approval and execution of an Interlocal Cooperation Agreement with the Southwest Texas Crisis Collaboration, Bexar County and Southwest Texas Regional Advisory Council for the purpose of collectively and collaboratively addressing the excessive use of emergency rooms, the jail and facilities within Bexar County due to homelessness, mental health and chronic illness. The term of the agreement is for the period October 1, 2018 through September 30, 2019, for an amount not to exceed \$250,000 to include the appropriate budgetary transfer.

Item(s) Brought by Heritage and Parks:

(Betty Bueche)

47. Authorizing the County Judge to execute a proposal between Bexar County and Mundo Verde Irrigation and Landscaping in the amount of \$82,700 at Hot Wells County Park located at 5503 South Presa as requested by the Bexar County Heritage and Parks Department to include the appropriate budgetary transfer.

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

(David Smith)

48. Request approval of the Tenth Amendment to Services Contracted between Bexar County and GEO Corrections and Detention, LLC dated effective February 1, 2019 modifying the term of the Services Contract, as amended.

Item(s) Brought by Resource Management:

(Tina Smith-Dean)

49. Approval to renew a policy with CHUBB, through McGriff, Seibels & Williams of Texas, Inc., to provide Bexar County with the purchase of Fuel Storage Tank Liability insurance coverage for a one-year period beginning January 24, 2019 and ending January 24, 2020 for a total premium amount of \$11,106.

50. Request approval for 9,230 hours of paid overtime for uniformed officers required to work mandatory hours in the Adult Detention Center through February 12, 2019.

Item(s) Brought by Commissioners Court:

(Court)

51. Approval of a request from County Judge Nelson W. Wolff to reappoint Judge John Vasquez, (Ret.) to the Joint City/County Commission on Elderly Affairs for a term to begin upon appointment and expire on December 31, 2020.
52. Approval of a request from Commissioner Justin Rodriguez, Precinct 2, and Commissioner Tommy Calvert, Precinct 4, for a Bexar County contribution for costs associated with the Cesar E. Chavez March to be held on Saturday, March 30, 2019 to include \$8,000 to VIA Metropolitan Transit and \$10,000 to the Cesar E. Chavez Legacy & Educational Foundation.
53. Approval of a request by County Judge Nelson Wolff to appoint the following to the Alamo Regional Mobility Authority.

Name	Date of Appointment	Expire	Replacing
John Agather	February 12, 2019	December 31, 2020	John Montford
William Raba	February 12, 2019	December 31, 2020	Ramiro A. Cavazos

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)

54. Discussion and appropriate action regarding Bexar County's Legislative Program and the 86th Session of the Texas Legislature.
(Estimated Presentation Time: 15 minutes) (Melissa Shannon)

Item(s) Brought by Purchasing Department:

(Mary Quinones)

55. Discussion and appropriate action regarding the renewal of an existing agreement with 4M Building Services to provide Custodial Services at various County Facilities for a one-year period beginning March 25, 2019 and ending March 24, 2020 under the same terms and conditions, as requested by the County Facilities Management Department in the estimated amount of \$1,471,881; and authorizing the Purchasing Agent to execute contract modification and file the appropriate award documents for record to include the appropriate budget transfer.
(Estimated Presentation Time: 5 minutes) (Mary Quinones)

Item(s) Brought by Economic and Community Development:

(David Marquez)

56. Presentation, discussion and appropriate action regarding an Incentive Application submitted by Pentagon Federal Credit Union.
(Estimated Presentation Time: 10 minutes) (David Marquez)

Item(s) Brought by County Clerk:

(Lucy Adame-Clark)

57. 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)

58. Discussion and appropriate action regarding a settlement offer in the following litigation: Rene Zuniga Lopez 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.

59. §551.071 Consultation with Attorney for advice regarding:
- a. Pending or contemplated litigation or settlement offers in the following matters:
 - i. Legal claims against Bexar County by Jeanne Russell; and
 - ii. Rene Zuniga Lopez v. Bexar County.

Posted: Friday, February 8, 2019 at 4:30 p.m.

FILE INFORMATION

Document Number: 25755
Date/Time: 2/8/2019 4:42:13 PM
Total Pages: 10
FILED IN THE OFFICIAL PUBLIC
RECORDS OF BEXAR COUNTY
LUCY ADAME – CLARK
BEXAR COUNTY CLERK
Total Fees: \$0.00