



UG-98-2020-26753

BEXAR COUNTY, TEXAS COMMISSIONERS COURT

NOTICE OF PUBLIC MEETING

The Bexar County Commissioners Court will meet on **Tuesday, March 24, 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, 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: (Court/Nelson W. Wolff)
2. Pledge of Allegiance: (Court/Nelson W. Wolff)

COMMISSIONERS COURT REGULAR AGENDA

3. Request of Commissioners Court to identify items from the Consent Agenda for additional discussion and to approve remaining Consent Agenda items.
4. Filing for record the following legal and administrative documents and directing the Criminal District Attorney's Office to take action, if necessary:
 - a. Declaration of Public Health Emergency, March 2, 2020.
 - b. Declaration of Public Health Emergency, March 13, 2020.
 - c. Bexar County Auditor's Year End Monthly Financial Reports (Unaudited and Unadjusted) for December 31, 2019.
 - d. Notice of Claim submitted by The Law Firm of Dwigans & Associates, re: Carrie Banks.
 - e. Notice of Claim submitted by Martin Cukjati & Tom LLP Attorneys at Law, re: Alfredo Hector Garza Valadez.
 - f. Notice of Deposit, Re: The State of Texas v. Jamil A. Sayfi, ET UX, ET AL in Case No. 2019ED0042.
 - g. Plaintiffs' First Amended Petition, Directed to County of Bexar, Local Government Entity, Re: Bexar County, et al v. Alexander C. Matthes et al, Suit No. 2012TA101743.
 - h. Notice of Hearing, Re: The State of Texas v. County of Bexar, Texas, et al in Case No. 2019ED0047.
 - i. Fax letter from Deputy Sheriffs' Association of Bexar County, from Jeremy Payne, President Re: Grievance 2020-DSABC-03.
 - j. Bexar County Sheriff's Office FY 2020 Budget for State Asset Forfeiture Fund – 312.
 - k. Bexar County Auditor's Office audits for Federal Equitable Sharing Agreement and Certifications and Chapter 59 State Asset Forfeiture Reports.
5. Commissioners Court minutes for March 10, 2020, and March 18, 2020.

6. 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 Sheriff's Office:

(Javier Salazar)

7. Request approval for 63,300 hours of paid overtime for uniformed officers required to work mandatory hours (MOT) in the Adult Detention Center (ADC) between March 11, 2020 and May 29, 2020.

Items(s) Brought by Tax Assessor-Collector

(Albert Uresti)

- 8. Approval of a request for the waiver of penalty and interest, for the Bexar County taxing jurisdiction in the amount of \$22.51 on account #04910-100-0550, Gwen Kocian representative for Sitterle Homes Ltd, tax year(s) 2019 in accordance with Section 33.011 of the Texas Property Tax Code.
- 9. Approval regarding an Interlocal Agreement for Provisions of Equipment and Consumables (ILA) between Bexar County and the State of Texas acting by and through the Texas Department of Motor Vehicles, authorizing the Texas Department of Motor Vehicles to provide Bexar County with the necessary equipment to run its automated vehicle and registration system.

Item(s) Brought by County Auditor:

(Leo Caldera)

- 10. Approval of bills to include claims registers for Wednesday, March 11, 2020 and Friday, March 13, 2020; Wednesday, March 18, 2020 and Friday, March 20, 2020.
- 11. Authorization and approval for the County Auditor to pay routine bills from Monday, March 23, 2020 through Friday, April 3, 2020.
- 12. Approval of a Payroll Adjustment for an employee's account balance with Texas County District Retirement System (TCDRS) and authorizing employer contribution of \$3,318.78.
- 13. Acceptance of the certification by the County Auditor, pursuant to Local Government Code §111.07075, of additional revenue available for the Bexar County Sheriff's State Asset Forfeiture Fund 312 in the amount of \$36,572. The Commissioners Court is not hereby adopting a special budget.
- 14. Acceptance of the certification by the County Auditor, pursuant to Local Government Code §111.07075, of additional revenue available for the Bexar County Sheriff's Federal Asset Forfeiture Fund 313 in the amount of \$274. The Commissioners Court is not hereby adopting a special budget.
- 15. Authorization to distribute upcoming payroll, including overtime, uniform allowances, and auto allowances to be paid on Tuesday, March 31, 2020.

16. Request approval according to Section 31.11 for \$47,662.45 in refunds for payments received by the Tax Assessor-Collector's Office in the form of tax overpayments made on seven 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 Bexar County Constable Pct. 4:

(Stan Ramos)

17. Approval of request to rehire Juan Z. Contreras, Bexar County Retiree, as a Deputy Constable III for Bexar County Constable Pct. 4.

Items(s) Brought by Purchasing

(Patricia Torres)

18. Awarding the renewal of a requirements contract to Shelton Presort, Incorporated, at the same pricing, terms, and conditions to provide for the purchase of Countywide Pre-Sort Mail Services in the estimated annual amount of \$50,000 for a one-year period, beginning April 1, 2020 and ending March 31, 2021 and providing for one additional one-year renewal option as requested by the Facilities Management Department; and authorizing the Purchasing Agent to execute a contract renewal in accordance with the terms of the original contract if provided for in each fiscal year appropriated budget, authorizing the Purchasing Agent to execute and file the appropriate award documents for record.
19. Awarding a delivery order to Doggett Freightliner for the purchase of seven (7) 2021 Freightliner Tandem Axel Dump Trucks in the amount of \$716,494 through BuyBoard Contract 601-19; sale and removal of seven (7) surplus dump trucks through trade-in, update the Fixed Asset Inventory Records; negotiated an allowance in the amount of \$67,500, as requested by the Public Works Department; and authorizing the Purchasing Agent to execute and file the appropriate award documents for record.
20. Awarding a delivery order to Grande Truck Center for the purchase of three (3) Ford F-750 dump trucks in the amount of \$241,697 through BuyBoard Contract 601-19; the sale and removal of three (3) dump trucks through trade-in, update the Fixed Asset Inventory Records; negotiated an allowance in the amount of \$14,000, 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 to URETEK USA, Incorporated for the purchase of Asphalt Pavement Stabilization Rehabilitation services at Alamo Canyon Street located in Precinct 1, in the amount of \$51,375, as requested by the Public Works Department through the State of Texas Term contract 748-S1; 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 to execute a field alteration request of final recapitulation between Bexar County and D. Plata Construction Company, LLC (SMWBE) in connection with Flood Control Capital Project, French Creek Tributary NWWC, LC23, Purchase Order Number 11574598. The recapitulation shows a decrease of \$89,574 for a final construction amount of \$2,447,542. Precinct Number 2.

23. Authorizing the purchase of a 7 foot Temporary Construction Easement (TCE) being 0.018 of an acre of land in New City Block (N.C.B.) 14614, San Antonio, Bexar County, Texas, being out of Tract 1, called 1.734 acres conveyed to Northside Independent School District, as described in Volume 7290, Page 1749, Official Public Record, Bexar County, Texas, from Northside Independent School District, owner of record, for the appraised value of \$1,000 to extend the current TCE for an additional 36 month period. Flood Control Capital Improvements Project, South Hausman Road Low Water Crossing (LC-5). Precinct Number 3.
24. Approval of subdivision plat#18-900064 within the Extra Territorial Jurisdiction of the City of San Antonio: Green Lake Meadow, owner: Green Lake Meadow, LTD., located north of Green Lake Drive and Green Grove, not within the Edwards Aquifer Recharge Zone. Precinct Number 4.
25. Approval of subdivision plat#19-11800172 within the Extra Territorial Jurisdiction of the City of San Antonio: Whisper Falls Unit 4B, owner: Continental Homes of Texas, L.P., located south of Whisper Way and US Hwy 90, not within the Edwards Aquifer Recharge Zone. Precinct Number 1.
26. Approval of subdivision plat#19-11800233 within the Extra Territorial Jurisdiction of the City of San Antonio: Messina Subdivision, owner: Meritage Homes of Texas, L.P., located north of Bulverde Road and Valley Creek, not within the Edwards Aquifer Recharge Zone. Precinct Number 3.
27. Order accepting the following streets and drains in the identified subdivisions for County maintenance to begin March 24, 2020:

SUBDIVISION

Preserve At Medina, Unit 01
 Plat No. 180036
 Precinct #1

STREET/DRAIN

Alderbrook Point 1,943.28 lf
 Asphalt Width: 40'
 Foley Hill 392.68 lf
 Asphalt Width: 28'
 Jetfire Point 447.50 lf
 Asphalt Width: 28'

Leighton Harbor 1,213.01 lf
 Asphalt Width: 28'
 Silvertree Cove 1,501.70
 Asphalt Width: 28'
 Silvertree Cove 460.24 lf
 Asphalt Width: 38'
 Sleepy River Way 702.96 lf
 Asphalt Width: 28'
 Snug Harbor Way 2,177.60 lf
 Asphalt Width: 28'
 Vesper Branch 1,098.78 lf
 Asphalt Width: 28'
 Walcott Ridge 719.68
 Asphalt Width: 28'
 Drain "B" 11.00 lf

(Cont.)

SUBDIVISION

STREET/DRAIN

Glenloch Farms, Unit 03
Plat No. 150227
Precinct #4

Drain "C" 11.00 lf
Drain "D" 11.00 lf
Drain "E" 11.00 lf

Alpine Rose Court 145.00 lf
Concrete Width: 30'
Cavendish Court 364.03 lf
Concrete Width: 30'
Chasemont Court 1,820.60 lf
Concrete Width: 30'
Glen Laurel Lane 329.48 lf
Concrete Width: 30'

Glenloch Farms, Unit 03
Plat No. 150227
Precinct #4

Glenloch Way 1,101.01 lf
Concrete Width: 30'
Glenloch Way 829.58 lf
Concrete Width: 43'
Noble Crest 1,104.07
Concrete Width: 30'
Nutley Court 239.73 lf
Concrete Width: 30'
Torchwood Dr. 232.84 lf
Concrete Width: 30'
Torchwood Dr. 448.37 lf
Concrete Width: 43'
Drain "A" 11.00 lf
Drain "B" 11.00 lf
Drain "C" 11.00 lf
Drain "D" 11.00 lf
Drain "E" 11.00 lf
Drain "F" 372.44 lf

28. Approval to establish Traffic Control devices as Speed Zones and Stop Zones at specified locations in Precinct Numbers 1 and 4.

SPEED ZONES TO BE ESTABLISHED:

Precinct Number 1

The Speed Limit on Catalina Port shall be 30 mph from FM 471 (Culebra Rd) to end of road.

The Speed Limit on Clipper Harbor shall be 30 mph from FM 471 (Culebra Rd) to end of road.

STOP ZONES TO BE ESTABLISHED:

Precinct Number 4

Heathers Place Unit 3 Plat #CP201813

The Stop Sign shall be on Heathers Rose at its intersection with Heathers Reef. (1 stop)

The Stop Sign shall be on Heathers Reef at its intersection with Heathers Cross. (1 stop)

Item(s) Brought by Office of Criminal Justice:

(Mike Lozito)

- 29. Approval and execution of the Second Amendment to an Agreement for Professional Services between Bexar County and Aljon Family Counseling, PLLC., for \$8,000 for substance abuse treatment services for the Misdemeanor Adult Drug Court with approved funding from the Criminal Justice Division Grant #2047012. The term of the funding for this agreement will begin September 1, 2019 to August 31, 2020 for a total not to exceed \$186,829.
- 30. Approval and execution of the Third Amendment to an Agreement for Professional Services between Bexar County and Elite Counseling to increase funding by \$85,378 for treatment services for the Felony Adult Drug Court and the Prostitution Prevention Program (Esperanza Court) with approved funding from Criminal Justice Division (CJD) grants. The term of the funding for this Agreement will begin September 1, 2019 through August 31, 2020 for a total not to exceed \$357,609.
- 31. Approval and execution of the Second Amendment to the Agreement between Recovery Healthcare Corporation to increase funding by \$33,171 to provide drug testing services and alcohol monitoring services to the Adult Drug Court and the Prostitution Prevention Program (Esperanza Court) participants with approved funding utilizing Office of the Governor Criminal Justice Division Grant# 2047012 and Criminal Justice Division Grant # 276030. The term of the funding for this Agreement will begin September 1, 2019 through August 31, 2020 not to exceed \$33,171.

Items(s) Brought by Economic and Community Development:

(David Marquez)

- 32. Approval of a request to negotiate an Innovation Fund Agreement of up to \$50,000 between Bexar County and Denim Group.
- 33. Approval of the Second Amendment and restated Rackspace US, Inc. Redevelopment Project Master Economic Incentives Agreement.
- 34. Approval and Execution of the Management Agreement between Bexar County and the following outside agencies for a one year beginning October 1, 2019 and ending September 30, 2020 in the amount listed below from the General Fund:

AGENCY	Award
DYS Families, Inc.	\$25,000
Five Diamonds	\$8,000
Meals on Wheels San Antonio	\$75,000

35. Approval of the 1st amendment of the Capital Improvement Program Management Agreement between Bexar County and the San Antonio Public Theatre to modify the payment terms to accommodate advance payment of construction costs.
36. Approval of Program Year (PY) 2019 Community Development Grant (CDBG) reprogramming funds and the First Amendment for the Public Service Agreement between Bexar County and the San Antonio Food Bank for Project HOPE: Healthy Options Program for the Elderly to provide additional CDBG program funds in the amount of \$ 47,380.08; and authorizing the County Manager to execute the agreement on behalf of the Court on terms and conditions acceptable to the Court's legal counsel.

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

(David Smith)

37. Approval of the First Amendment to the Personal Services Agreement between Bexar County and Noe Garcia, III providing services related to Federal issues in order to clarify that travel is the financial responsibility of Noe Garcia, III, and at no additional cost to the County.
38. Approval of an extension of the Consulting Services Agreement with Blair Wildlife, LLC beginning March 31, 2020 through March 31, 2021 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 revenue. Precinct Number 3.
39. Approval for the acceptance of two donations made to the Bexar County Animal Facility, and designation of how the funds will be used:
 - a. \$10,000 donation from the Maddie Hero Award, a cash award grant to Bexar County Animal Facility on behalf of the winner, Christie Banduch.
 - b. \$1,000 donation from the Southwest Veterinary Symposium. County Wide.

Items(s) Brought by Resource Management

(Tina Smith-Dean)

40. Approval of the Investment Quarterly Report for the 1st Quarter of FY 2019-20 in accordance with Section 2256.023 (a) of the Texas Public Funds Investment Act.
41. Consideration and adoption of a resolution expressing intent to reimburse finance expenditures to be incurred in an amount not to exceed \$35,000,000 for the acquisition, construction, reconstruction, renovation, and/or equipping of a parking garage and a job training center located within the County's jurisdiction.

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

(Kyle Coleman)

42. Ratification of a request authorizing the County Judge to sign an *Approval of the Highest Elected Official of Bexar County, Texas* resolution per the requirements of the 26 US, Code Internal Revenue Section 147(f) at the request of Emergency Services District No. 2 Fire & Rescue for the purpose of financing equipment. The County shall have no responsibility or liability for the financing.

43. Ratification of a request authorizing the County Judge to sign an *Approval of the Highest Elected Official of Bexar County, Texas* resolution per the requirements of the 26 US, Code Internal Revenue Section 147(f) at the request of Emergency Services District No. 5 Fire & Rescue for the purpose of financing equipment. The County shall have no responsibility or liability for the financing.

Item(s) Brought by Military and Veteran Services:

(Karen Rolirad)

44. Appointment of George Gallegos as a Military and Assistant Veteran Service Officers.

Item(s) Brought by Facilities Management:

(Dan Curry)

45. Approval of the 2nd Amendment to the Architectural Services Agreement with Huitt-Zollars for an amount not to exceed \$49,000 to update the master plan and investigate expansion of the facility and site modification to accommodate additional office space needs for the County Clerk and to assist in refining cost estimates; and authorizing staff to execute the amendment, process and file the appropriate documents for record.
46. Approval for staff release Requests for Qualifications (RFQs) for Consultant teams for specific projects funded in the Facilities Capital Program in accordance with Purchasing and SMWBE policies.

INDIVIDUAL AGENDA ITEMS:

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

Items(s) Brought by Commissioners Court

(Court)

47. Discussion and appropriate action regarding a letter of support to Governor Greg Abbott requesting to suspend the requirement for appraisal districts to reappraise property for tax year 2020, including market value and appraised value.
(Estimated Presentation Time: 15 minutes) (Nelson W. Wolff/Sergio "Chico" Rodriguez)
48. Presentation, discussion and appropriate action regarding matters related to COVID-19 to include the following:
- a. An update on COVID-19
 - b. Approval and execution of a Community and Economic Development Grant Agreement between the County of Bexar and LiftFund, Inc. in the amount of \$5,650,000 and approval of the appropriate budgetary transfer for the following programs:
 - i. \$5,000,000 for the Bexar County COVID 19 Loan Program;
 - ii. \$250,000 for the Bexar County Micro-Business Loan Program;
 - iii. \$400,000 for the LiftFund, Inc. to administer the loan programs.
 - c. A Memorandum of Understanding with University Health System.
(Estimated Presentation Time: 25 minutes) (Court)

Items(s) Brought by Purchasing

(Patricia Torres)

- 49. Discussion and appropriate action regarding the final evaluation scoring of Request for Proposal Event #664, Food Services for the Sheriff’s Office and the selection of a qualified food service provider for inmate and staff meals at five (5) facilities.
(Estimated Presentation Time: 10 minutes) (Patricia Torres)
- 50. Discussion and appropriate action regarding the final evaluation scoring for RFQ-RFP Event #737, Design-Build Services solicitation for the selection of a design and construction team for the proposed Bexar County Quincy Street Parking Garage.
(Estimated Presentation Time: 10 minutes) (Patricia Torres/Dan Curry)

Items(s) Brought by Budget and Finance

(Tina Smith-Dean)

- 51. Discussion and appropriate action regarding the approval of End of Year Budget Transfers in the total amount of \$21,361,049, transferring funding from accounts with a positive balance to accounts with a negative balance, with no net impact to the General Fund, so that the County Auditor’s Office can close out FY 2018-19 and finalize the Comprehensive Annual Financial Report (CAFR):

Office/Department	Amount
Sheriff-Adult Detention Center	\$6,237,774
Sheriff-Law Enforcement	\$3,416,406
Non-Departmental	\$2,847,678
Information Technology	\$2,184,646
District Courts - Criminal	\$1,952,513
Criminal District Attorney	\$1,472,963
Juvenile Probation	\$1,222,458
Juvenile Institutions	\$104,831
Trial Expenses	\$743,465
County Courts at Law	\$470,956
Facilities Management - Administration	\$326,284
Public Defenders	\$142,918
Mental Health Department	\$120,351
Constable Precinct 3	\$117,806
Drug Court Fund	\$101,984

(Estimated Presentation Time: 10 minutes)

(Tina Smith-Dean)

Item(s) Brought by County Clerk:

(Lucy Adame-Clark)

52. Drawing 25 names from the 2019 Grand Jury List, nine (9) of which will serve on the 2020 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)

53. Discussion and appropriate action regarding a settlement proposal in the following litigation:
J. Felan v. M. Fernandez 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.

54. §551.071 Consultation with Attorney for advice regarding:

- a. Pending or contemplated litigation or settlement offers in the following matters:
 - i. J. Felan v. M. Fernandez et al.
 - ii. Marc D. Garcia v. Constable Precinct 2 Office
 - iii. Carrazco v. County of Bexar

Posted: Friday, March 20, 2020 at 4:45 p.m.

FILE INFORMATION

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