



UG-98-2020-26795

BEXAR COUNTY, TEXAS COMMISSIONERS COURT

NOTICE OF PUBLIC MEETING

The Bexar County Commissioners Court will meet on **Tuesday, April 21, 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: Reverend Gavin Rogers (Court/Justin Rodriguez)
2. Pledge of Allegiance: (Court/Justin Rodriguez)

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. Objection to the Award of Special Commissioners, Re: The State of Texas v. Jamil A. Sayfi a/k/a Jamil Abdullah Sayfi, ET UX, ET AL in Case No. 2019ED0082.
 - b. Notice of Eminent Domain Award, Re: The State of Texas v. Jamil A. Sayfi aka Jamil Abdallah Sayfi, ET UX, ET AL in Case No. 2019ED0082.
 - c. Plaintiff's Original Complaint, Waiver of Service of Summons of Bexar County, Texas, Plaintiff's Advisory to the Clerk of the Court, and Plaintiff's Disclosure of Interested Parties, directed to Bexar County, Texas c/o County Judge Nelson W. Wolff, Re: Bishop Elkhalliny v. Bexar County, Texas; Jency Miguel Contreras, Individually; and Joseph Humberto Martinez, III, Individually, Civil Action No. 5:20-cv-100-OLG.
 - d. Fax letter from Deputy Sheriffs' Association of Bexar County, from Jeremy Payne, President Re: notice of intention to proceed to step 3 in Grievance 2020-DSABC-03.
 - e. Notification of Notice of Lis Pendens; Petition for Condemnation, Re: The State of Texas v. Humberto Villalobos, et ux, et al, case no. 2020ED0015.
 - f. Notification of Commissioners Appointed, Re: The State of Texas v. Humberto Villalobos, et ux, et al, case no. 2020ED0015.
 - g. Motion to Release Funds from the Registry of the Court, Re: The State of Texas v. Jamil A. Sayfi, et ux, et al in Case No. 2019ED0042.
 - h. Bexar County Auditor's Year End Monthly Financial Reports (Unaudited and Unadjusted) for January 31, 2020.
 - i. Notice of Claim submitted by Spears Law Office, P.L.L.C., Re: Paul Mathiwos.

- j. U.S. District Court –Summons in a Civil Action Directed to Bexar County, Texas The Honorable Nelson Wolff, County Judge, Re: Joshua Ruiz v. Bexar County, Texas, Civil Action No. 5:19-CV-01457.
 - k. Bexar County Sheriff’s Office FY 2020 Budget for State Asset Forfeiture Fund – 312, April 9, 2020.
 - l. Bexar County Sheriff’s Office FY 2020 Budget for Federal Asset Forfeiture Fund – 313, April 9, 2020.
5. Commissioners Court minutes for March 24, 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. Ratification of the renewal contract no. 1705313-LS between Bexar County and Bexar County Hospital District d/b/a University Health System located at 600 Mission Rd., San Antonio, Texas, with services provided and through the Detention Healthcare Services Department to have psychological evaluations preformed for its employees and applicants for employment by qualified staff of the Health System with a term of October 1, 2019 – September 30, 2020 at a rate of \$250 per individual evaluated.
8. Approval to ratify the submission of 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, FY2020* in the amount of \$250,000 with a 50% match requirement (\$118,783 as cash match; \$131,357 as in-kind match) for a total of \$500,140 for the program; and acceptance of funding upon award; the term of the grant will be from October 1, 2020 through September 30, 2022.
9. Authorizing the County Auditor to pay Fiscal Year 20 invoice(s) for Bexar County Sheriff’s Office for services from Industrial Communications for vehicle repairs and maintenance for a total amount of \$25,680.88. These were services provide to the Bexar County Sheriff’s Office prior to the creation of a purchase order.
10. Approval of the Sheriffs request to decommission Vehicle #9896 2008 Chevrolet Cheyenne VIN# 3GCEK13M48G306419 and Vehicle #9671 2001 GMC Sierra 1500 VIN# 2GTEC19T11189795 from active service in the Criminal Investigation Narcotics Division and placing up for auction.

11. Authorizing the County Auditor to pay Fiscal Year 20 invoice(s) for Bexar County Sheriff Office for services from Industrial Communication (Vehicle repairs/maintenance) \$7,497.53 and Mel Davis (Property Storage) \$28,232.50, for a total amount of \$35,730.03. These were services provide to the BCSO prior to the creation of a purchase order, i.e. vendors with no contract and/or had issues with funding and creating vendor number to include the appropriate budgetary transfer.

Item(s) Brought by County Auditor:

(Leo Caldera)

12. Approval of bills to include claims registers for Wednesday, March 25, 2020 and Friday, March 27, 2020; Wednesday, April 1, 2020 and Friday, April 3, 2020; Wednesday, April 8, 2020; Wednesday, April 15, 2020 and Friday, April 17, 2020.
13. Approval and authorization of Banking Resolution and Certificate of Incumbency amending the authorized representatives for Bank of America.
14. Authorization and approval for the County Auditor to pay routine bills from Monday, April 6, 2020 through Friday, May 1, 2020.
15. Approval of Tax Assessor-Collector's Report of Taxes collected in March 2020 and approval of the order transferring tax collections for the month of March 2020 from unallocated receipts.
16. Authorization to distribute upcoming payroll, including overtime, uniform allowances, and auto allowances to be paid on Wednesday, April 15, 2020 and Thursday, April 30, 2020.
17. Request approval according to Section 31.11 for \$756,578.47 in refunds for payments received by the Tax Assessor-Collector's Office in the form of tax overpayments made on 45 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.
18. 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 March 2020. Notification of payment to those employees who have accumulated hours in excess of the FLSA maximum level for an estimated amount of \$57,643 and approval of the appropriate budget transfers.
19. 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 \$35,102. The Commissioners Court is not hereby adopting a special budget.
20. 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 \$11,941. The Commissioners Court is not hereby adopting a special budget.

Items(s) Brought Purchasing

(Patricia Torres)

21. Awarding a contract to the best-qualified bid submitted by Harper Brothers Construction, LLC, to provide for the purchase of flood control construction services for the North Talley Road Project in Precinct 1, in the amount of \$684,954.90, as requested by the Public Works Department; and authorizing the Purchasing Agent to execute and file the appropriate award documents for record.
22. Awarding the renewal of a requirement contract to Texas Disposal Systems, Incorporated, at the same pricing, term and conditions to provide for the rental of Roll-Off Dumpsters in the estimated annual amount of \$75,000 for a one-year period, beginning April 1, 2020 and ending March 31, 2021 as requested by the Public Works Department; and authorizing the Purchasing Agent to execute and file the appropriate documents for record.
23. Awarding a purchase order to the lowest, responsive and responsible bidder, Mueller & Wilson, Inc. for the purchase and install of backflow prevention equipment at the County Archives Building, in the amount of \$20,078.40, as requested by the Facilities Management Department; and authorizing the Purchasing Agent to execute and file the appropriate award documents for record.
24. Approval to declare seventeen (17) vehicles surplus for auction in accordance with Local Government Code 263.152. (A)(1)(C)(6).
25. Awarding a delivery order to Armstrong Relocation & Companies for the purchase of Election Equipment Transportation Services in the estimated annual amount of \$198,421, as requested by the Elections Department through Texas Multiple Award Schedule (TXMAS) Contract # TXMAS-18-4801; and authorizing the Purchasing Agent to execute contract and file appropriate award documents for record.
26. Awarding a delivery order to Nardis Public Safety for the purchase of ninety (90) Point Blank concealable body armor vests, as requested by the Sheriff's Office, in the amount of \$68,993.10 through BuyBoard Purchasing Cooperative contract #587-19; and authorizing the Purchasing Agent to execute contract and file the appropriate award documents for record.
27. Ratification of emergency purchase orders 11607013 and 11607294 to XFED, LLC, for the purchase of KN95 and surgical masks in response to the COVID-19 pandemic in the amount of \$91,100.00, as requested by the Sheriff's Office; and authorizing the Purchasing Agent to execute and file the appropriate award documents for record.

Item(s) Brought by Public Works:

(Renee Green)

28. Approval of subdivision plat#CP201910 within the Extra Territorial Jurisdiction of the City of St. Hedwig Hunters Place Unit 1, owner: Love Haus Development, LLC, located south of Abbot Road and Asher Alley, not within the Edwards Aquifer Recharge Zone. Precinct Number 4.
29. Approval of the Engineering Services Agreement between Bexar County and Pape-Dawson Consulting Engineers, Inc., in the amount of \$959,419.04 for the professional engineering contract for the Capital Improvements Project, Boerne Stage Road Phase II, Precinct 3.

- 30. Approval of SAWS Field Alteration Request Number 3 between Bexar County and Salinas Construction Technologies, Ltd (SMWBE) requesting to increase contract amount by \$5,116 in connection with the Highland Oaks Subdivision Streets Project, to be paid by SAWS at **no cost to the County**. Precinct Number 1.
- 31. Approval of Final Recapitulation of project cost between Bexar County and The Levy Company, LP (SMWBE) in connection with Public Works Capital Project, Binz-Engleman Rd Sidewalk Extension and Traffic Signal Project. The recapitulation shows a decrease of \$30,425. The recapitulation shows a final construction amount of \$287,724. Precinct Number 4.
- 32. Approval of SAWS Field Alteration Request Number 5 between Bexar County and Curran Contracting Company requesting to increase contract amount by \$3,857 in connection with the Marshall Rd. Improvements Project, to be paid by SAWS at no cost to the County. Precinct Number 3.
- 33. Approval of Final Recapitulation of project costs between Bexar County and Curran Contracting Company in connection with the Public Works Capital Project, FM 471 (Culebra Rd) Pass Through Project. The recapitulation shows a decrease of \$56,175.05 and a final construction amount of \$14,961,536 (Precinct Numbers 1 and 2).
- 34. Approval of subdivision plat#180275 within the Extra Territorial Jurisdiction of the City of Converse: Liberte Ventura Unit 12, owner: Starlight Homes of Texas, LLC, located south of F.M. 1516 and Crestway Road, not within the Edwards Aquifer Recharge Zone. Precinct Number 4.
- 35. Approval of subdivision plat#180567 within the Extra Territorial Jurisdiction of the City of Converse: Liberte Ventura Unit 11B, owner: Starlight Homes of Texas, LLC, located south of F.M. 1516 and Crestway Road, not within the Edwards Aquifer Recharge Zone. Precinct Number 4.
- 36. Approval of subdivision plat#19-11800193 within the Extra Territorial Jurisdiction of the City of San Antonio: Cibolo Canyons Town Center Replat, owner: C & C TPC, LLC, located northwest of Cibolo Canyons and TPC Parkway, within the Edwards Aquifer Recharge Zone. Precinct Number 3.
- 37. Approval of subdivision plat#19-11800317 within the Extra Territorial Jurisdiction of the City of San Antonio: Pecan Springs Unit 1 P.U.D., owner: Pecan Springs Development Company, LLC, located east of Pecan Bluff and Cameron Point, not within the Edwards Aquifer Recharge Zone. Precinct Number 3.
- 38. Approval to establish Traffic Control devices as Stop Zones and No Thru Truck Zones at specified locations in Precinct Numbers 1, 2, and 4.

STOP ZONES TO BE ESTABLISHED:

Precinct Number 1

All-Way Stop Locations

- The Stop Signs shall be on Marbach Road at its intersection with Thunder Gulch. This makes this intersection an all-way stop. (2 stops)
- The Stop Signs shall be on Camp Light Way at its intersection with Emory Peak. This makes this intersection an all-way stop. (2 stops)
- The Stop Signs shall be on Krie Trail at its intersection with Quiet Plain Dr. This makes this intersection an all-way stop. (2 stops)

Westpointe East Unit 33 Phase 9 Plat #180418

The Stop Signs shall be on Easton Drive at its intersection with Calate Ridge. (2 stops)
The Stop Sign shall be on Hellas Ranch at its intersection with Easton Drive. (1 stop)
The Stop Sign shall be on Penning Bluff at its intersection with Easton Drive. (1 stop)

Precinct Number 2

Kallison Ranch Phase 1 Unit 6 Plat #189098

The Stop Sign shall be on Desperado Run at its intersection with Kallison Bend. (1 stop)
The Stop Signs shall be on Red Pony Drive at its intersection with Desperado Run. (2 stops)
The Stop Sign shall be on Desperado Run at its intersection with War Wagon Lane. (1 stop)

Silver Canyon Subdivision Unit 6 Plat #CP201902

The Stop Sign shall be on Hamlin Creek at its intersection with Round Ridge. (1 stop)
The Stop Sign shall be on Reyes Heights at its intersection with Hamlin Creek. (1 stop)

Precinct Number 4

All-Way Stop Location

The Stop Signs shall be on Woodlake Pkwy at its intersection with Mountain Brook Dr / Kingsland. This makes this intersection an all-way stop. (2 stops)

Hunters Way Subdivision Unit 2 Plat #170271

The Stop Sign shall be on Hunters Cove at its intersection with Hunters Trace. (1 stop)
The Stop Sign shall be on Hunters Leaf at its intersection with Hunters Trace. (1 stop)

NO THRU TRUCK ZONES TO BE ESTABLISHED:

Precinct Number 2

The No Thru Truck Sign shall be on Ranch Pkwy from Bandera Rd to Mountain Climb and read: "Trucks Over 1 Ton Prohibited (except local delivery)".

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

(Kyle Coleman)

39. Ratification of a request authorizing the County Judge to sign an Approval of Highest Elected Official of Bexar County, Texas resolution, per the requirements of the 26 U.S. 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 Office of Criminal Justice:

(Mike Lozito)

40. Authorizing the execution of an Agreement between Bexar County and Crosspoint, Inc., to increase funding in the amount of \$47,000 for residential housing services for the Prostitution Prevention Program a/k/a "The Esperanza Court" during the term of September 1, 2019 to August 31, 2020 with approved funding from the Criminal Justice Division Grant# 2760306.
41. Approval and execution of a Second Amendment to a Personal Services Agreement between Bexar County and Dr. Durant Frantzen to conduct Program Evaluation Services for the ReCAST program beginning September 30, 2019 through September 29, 2020; utilizing funding from Year 4 of the Substance Abuse and Mental Health Services Administration grant; not to exceed the amount of \$24,934.

- 42. Approval and execution of a Fourth Amendment to a Professional Services Agreement between Bexar County and San Antonio Fighting Back for services related to the County's ReCAST program the term of September 30, 2018 to September 29, 2019, in the amount not to exceed \$239,563.89 utilizing funding from the Substance Abuse and Mental Health Administration grant for year 3.
- 43. Approval and execution of a Fifth Amendment Agreement between the Bexar County Recovery Partnership Program with San Antonio Fighting Back Inc., for services for the local community recast grant for the term of September 30, 2019 to September 29, 2020 in the amount not to exceed \$220,834 from the Substance Abuse and Mental Health Administration Grant# 5H79SM063519-04.

Item(s) Brought by Public Defenders Office:

(Michael Young)

- 44. Approval of action of County Judge Nelson Wolff's execution of resolution in support of a grant application to the Texas Indigent Defense Commission for a one-time emergency technology grant in the amount of \$5,000 to support the operations of the Bexar County Public Defender's Office in response to the COVID-19 emergency situation.

Item(s) Brought by Facilities Management:

(Dan Curry)

- 45. Authorizing the Auditor to pay invoices for relocation services to Central Transportation Systems in the amount of \$1,520 as requested by Facilities Management.

Items(s) Brought by Economic and Community Development:

(David Marquez)

- 46. Approval of Program Year 2019 Emergency Solutions Grant reprogramming funds and execution of the First Amendment to the Subrecipient Agreement between Bexar County and the Society of St. Vincent de Paul for the Rapid Re-housing and Homeless Prevention program in the amount of \$100,000.
- 47. Approval and Execution of the Management Agreement between Bexar County and the following outside agencies for a one-year period beginning October 1, 2019, and ending on September 30, 2020, in the amount listed below from the General Fund:

AGENCY	AWARD
Beat AIDS	28,000
MAESTRO Entrepreneur Center	25,000
Northeast Senior Assistance	15,000
SW School of Art	100,000

Item(s) Brought by District Attorney:

(Joe Gonzales)

- 48. Approval of a professional services agreement with the Jordan Law Group P.L.L.C. for certain representation of Bexar County related to the civil service appeal of Marc D. Garcia; Marc D. Garcia v. Constable Precinct 2 Office in an amount not to exceed \$2,500, as authorized on March 24, 2020.

49. Approval of a professional services agreement with The Law Office of Albert Lopez for certain representation of Bexar County related to Rodolfo Carrazco v. County of Bexar, Civil Action No. 5: 19-CV-247-OLG in an amount not to exceed \$25,000 without further amendment of the agreement, as authorized on March 24, 2020.

INDIVIDUAL AGENDA ITEMS:

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

Items(s) Brought by Commissioners Court

(Court)

50. Presentation, discussion and appropriate action regarding matters related to COVID-19 to include the following:

- a. Update on Bexar County response;
- b. Update regarding Bexar County Sheriff's Operations;
- c. Update regarding Elections;
- d. Discussion and appropriate action regarding agreements between Bexar County and the City of San Antonio for the City's COVID-19 Emergency Housing Assistance Program designed to assist families in unincorporated Bexar County and suburban cities impacted by Coronavirus Disease 2019 (COVID-19);
- e. Status update regarding COVID-19 Community Action Group activities;
- f. Ratification of a certification affirming Bexar County's intent to receive pro rata share of the Coronavirus Relief Fund per the Coronavirus Aid, Relief and Economic Security (CARES); and
- g. Ratification of a Texas Division of Emergency Management certification affirming Bexar County's intent to receive pro rata share of the Disaster Relief Fund per the Coronavirus Aid, Relief and Economic Security (CARES) Act.

(Estimated Presentation Time: 1 hour)

(Court)

51. Recess Commissioners Court

- a. **Immediately following Item 50: Convene as Board of Directors, Bexar County Housing Finance Corporation.**

(Estimated Presentation Time: 5 minutes)

(Board/Bracewell)

Reconvene Commissioners Court

Item(s) Brought by County Auditor:

(Leo Caldera)

52. Discussion and appropriate action regarding the presentation by Rene Gonzalez of Garza/Gonzalez & Associates of the County's FY 2019 Comprehensive Annual Financial Report (CAFR), Single Audit Report, and Report on Conduct of Audit.
(Estimated Presentation Time: 10 minutes)

(Leo Caldera)

Items(s) Brought Purchasing

(Patricia Torres)

53. Discussion and appropriate action regarding the approval of a Design-Build agreement between Bexar County and Joeris General Contractors, Ltd. in the amount of \$11,795,000 to begin the design and construction of the Quincy Street Parking Garage.
(Estimated Presentation Time: 10 minutes)

(Patricia Torres)

Item(s) Brought by Facilities Management:

(Dan Curry)

54. Discussion and appropriate action regarding the top two (2) ranked teams that responded to the Request for Qualifications (RFQ) for design of Bexar Bibliotech EDU.
(Estimated Presentation Time: 10 minutes)

(Dan Curry)

Item(s) Brought by County Clerk:

(Lucy Adame-Clark)

55. 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)

56. 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.

57. §551.071 Consultation with Attorney for advice regarding:

a. Pending or contemplated litigation or settlement offers in the following matters:

- i. Joshua Ruiz v. Bexar County
- ii. J. Felan v. M. Fernandez et al.
- iii. Bishoy Elkhally v. Bexar County, Texas, Jency Miguel Contreras, Individually, and Joseph Humberto Martinez, III, Individually.

Posted: Friday, April 17, 2020 at 4:45 p.m.

FILE INFORMATION

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