

BEXAR COUNTY, TEXAS COMMISSIONERS COURT

NOTICE OF PUBLIC MEETING

The Bexar County Commissioners Court will meet on **Tuesday, January 10, 2023 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.

**PETER SAKAI
COUNTY JUDGE**

**REBECA CLAY-FLORES
COMMISSIONER, PRECINCT 1**

**GRANT MOODY
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.



UG-98-2023-28838

COMMISSIONERS COURT CEREMONIAL AGENDA

1. Opening Prayer: Chaplain Robert Pierce BCESD-5 Fire & Rescue (Rebeca Clay-Flores)
2. Pledge of Allegiance: (Rebeca Clay-Flores)

COMMISSIONERS COURT REGULAR AGENDA

3. CEREMONIAL ITEM(S):

- a. Recognition and/or Oath of Office of the following:
 - i. Peter Sakai to serve as Bexar County Judge for a term to begin January 1, 2023 and expire December 31, 2026.
 - ii. Justin Rodriguez to serve as Bexar County Commissioner, Precinct 2, for a term to begin January 1, 2023 and expire December 31, 2026; and
 - iii. Tommy Calvert to serve as Bexar County Commissioner, Precinct 4, for a term to begin January 1, 2023 and expire December 31, 2026.
(Presentation Time: 10 minutes) (Court)

4. SPECIAL PRESENTATION(S):

- a. Approval of a request from Commissioner Tommy Calvert for a \$35,000 MLK March sponsorship for the scholarship fund from the Precinct 4 contribution to other agencies account.
(Presentation Time: 10 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. County Commissioner Grant Moody Statement of Officer, Oath of Office, and Bond, November 23, 2022.
 - b. United States Bankruptcy Court for the Northern District of Texas Fort Worth Division, Re: Chazar 410 Holdings, LLC, Case No. 21-42132-mxm11.
 - c. Bexar County Sheriff's Office FY 2023 Budget for State Asset Forfeiture Fund – 312 (December 14, 2022).
 - d. Advanced Funding Agreement Amendment #1 Re: FM 1518 Expansion, Bike Lanes and Sidewalks, approved November 15, 2022.

- e. Notice of Tort Claim submitted by Cesar Ornelas Law, Re: Yvette Arellano.
 - f. Citation directed to Judge Nelson Wolfe, Plaintiff's Original Petition, Re: Marin Mata vs. Javier Salazar et al, Case No. 2022CI23342.
 - g. Letter to County Giving Notice of Lawsuit submitted by Manuel G. Escobar, Jr., Attorney at Law, Re: Sandra Espinoza v. Bexar County, Cause No. 2022CI21756.
 - h. Notice of Claim submitted by Melendez Law Firm, PLLC, Re: Diane Carberry and David Carberry.
 - i. Emails from Kiera Mathis, et al v. Bexar County, et al, Re: Case No. 5:22cv01277.
 - j. Presuit Notice of Claim submitted by Law Offices of Eric Ramos PLLC, Re: Juana Albertina Aguilar Amador.
 - k. Presuit Notice of Claim submitted by Law Offices of Eric Ramos PLLC, Re: Karen Gonzalez as guardian of Elaine Rodriguez, a minor.
 - l. Notice of Tort Claim submitted by Davis Law Firm, Re: Cynthia Garcia.
7. *Commissioners Court minutes for Tuesday, December 13, 2022.*
 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.

Items(s) Brought by County Auditor:

(Leo Caldera)

9. Approval of bills to include claims registers for Wednesday, December 14, 2022 and Friday, December 16, 2022; Wednesday, December 21, 2022, Wednesday, December 28, 2022 and Friday, December 30, 2022. Wednesday, January 4, 2023 and Friday, January 6, 2023.
10. Approval of Tax Assessor-Collector's Report of Taxes collected in December 2022 and approval of the order transferring tax collections for the month of December 2022 from unallocated receipts.
11. Request approval according to Section 31.11 for \$55,881.42 in refunds for payments received by the Tax Assessor-Collector's Office in the form of tax overpayments made on 9 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.
12. Authorization and approval for the County Auditor to pay routine bills from Monday, January 9, 2023 through Friday, January 20, 2023.
13. Authorization to distribute upcoming payroll, including overtime, uniform allowances, and auto allowances to be paid on Friday, January 13, 2023.

Item(s) Brought by Purchasing:

(Patricia Torres)

14. Granting a discretionary exemption to the competitive bidding requirements set forth in the Texas County Purchasing Act for the purpose of awarding a purchase order to Cartegraph Systems, LLC in the annual amount of \$363,490 on a sole source basis, for the purchase of an annual Cartegraph Enterprise software license, subscription and service agreement in support of the inventory and maintenance application system, as requested by the Public Works Department; and authorizing the Purchasing Agent to execute and file the appropriate award documents for record.
15. Granting a discretionary exemption to the competitive bidding requirements set forth in the Texas County Purchasing Act for the purpose of awarding a purchase order to JAMF Software, LLC for the purchase of mobile Apple device management software licenses in the amount of \$69,555.60, on a sole source basis, as requested by the BiblioTech Public Library; and authorizing the Purchasing Agent to execute and file the appropriate award documents for record.
16. Awarding a purchase order to the lowest and best bid submitted by Total Maintenance Solutions-South, to furnish one hundred seventy-two (172) high security plumbing fixtures for the Adult Detention Center Building Component Toilet Replacement Project, in the base bid amount of \$272,258.80, as requested by the Facilities Management Department; and authorizing the Purchasing Agent to execute and file appropriate award documents for record.
17. Awarding a purchase order to the second lowest and best bid submitted by Total Maintenance Solutions-South, to furnish one hundred seventy-two (172) toilet flush valves, including regulator, flex tube diaphragm kit and gaskets; including removal of existing and installation of new equipment for the Adult Detention Building Component Replacement Flush Valves Project, located in the Adult Detention Center Tower B in the based bid amount of \$63,113.68, as requested by the Facilities Management Department; and authorizing the Purchasing Agent to execute and file appropriate award documents for record.
18. Authorizing the removal and sale of one (1) surplus firearm from deceased Deputy Timothy De La Fuente to beneficiary Pauline Pezina De La Fuente in the amount of \$414 in accordance with the Surplus Firearm Equipment List, as requested by the Sheriff's Office; and authorizing the Purchasing Agent to update the Bexar County Inventory Records as well as file the appropriate documents for record.

Item(s) Brought by Public Works:

(Renee Green)

19. Authorizing the purchase of a Variable Width Drainage Easement being 0.3762 of an acre tract of land and a Temporary Construction Easement being 0.1678 of an acre, both tracts being out of a called 2.915 acre tract of land described in Document 20220128292 of the Official Public Records of Bexar County, Texas situated in the Robert Survey 63, Abstract 422, Bexar County, Texas, from Luz Marina Dominguez and son Johnathan Ayon Dominguez Owners of Record in the amount of \$28,000. total appraised value including applicable closing costs. These easements are needed as part of the WT Montgomery Road Extension Project located in far west Bexar County, north of US Highway 90. Precinct Number 1.

20. Authorizing the purchase of a 0.349 acre tract of land, situated in the S. Tyler Survey No. 367, Abstract No. 744, County Block 4401 of Bexar County, Texas, being a portion of a called 7.410 acre tract of land described in Volume 6072, Page 34 of the Deeds and Plats Records of Bexar County, Texas, from Carlos S. Castaneda and wife Yolanda Flores Castaneda, Owners of Record in the amount of \$58,730 total appraised value, Administrative Settlement and applicable closing costs. This property is needed for the Talley Road Phase II Metropolitan Planning Organization Transportation Improvement Project (MPO). Precinct Number 1.
21. Approval of Field Alteration Request Number 3 between Bexar County and Harper Brothers Construction, LLC requesting to increase contract amount by \$22,926.21 in connection with the Bulverde Road Phase IV (MPO) Project. Precinct Number 3.
22. Approval of a variance request to Article 4 Section D(4) and Article 4, Section D(5)(d), of the Bexar County Flood Damage Prevention Court Order for the Subdivision Plat Establishing Luensmann Tract Unit 1A Plat #220123. Precinct Number 4.
23. Order accepting the following streets and drains in the identified subdivisions for County maintenance to begin January 10, 2023:

SUBDIVISION

Riverstone Unit D-02
 Plat No. 190524
 Precinct #1

STREET/DRAIN

Aphanite Way 514.16 lf
 Asphalt Width: 28'
 Blue Granite 360.23 lf
 Asphalt Width: 28'
 Claystone Canyon 1,307.02 lf
 Asphalt Width: 28'
 Gritstone Rd 507.46 lf
 Asphalt Width: 40'
 Jadeitite Pike 735.34 lf
 Asphalt Width: 28'
 Lignite Rd 547.01 lf
 Asphalt Width: 28'
 Drain "A" 11.00 lf
 Drain "B" 11.00 lf
 Drain "C" 11.00 lf
 Drain "D" 168.11 lf
 Drain "E" 31.74 lf

Blanco River Run
 Plat No. 190525
 Precinct #1

Blanco River Run 1,176.43 lf
 Asphalt Width: 44'
 Blue Granite 48.00 lf
 Asphalt Width: 28'
 Drain "A" 78.17 lf

Davis Ranch Unit 04-F
 Plat No. 190199
 Precinct #2

Big Tex Trail 495.25 lf
 Asphalt Width: 40'
 Longfellow Ranch 858.75 lf
 Asphalt Width: 28'

SUBDIVISION

STREET/DRAIN

	Redstone VW 194.74 lf Asphalt Width: 28' Sitio Plains 881.00 lf Asphalt Width: 28' Willow VW 145.00 lf Asphalt Width: 28' Drain "B" 11.00 lf Drain "E" 11.00 lf Drain "F" 11.00 lf
Escondido North Unit 04 Plat No. 189012 Precinct #4	Belvedere Pl. 315.00 lf Asphalt Width: 28' Terlingua CV 365.00 lf Asphalt Width: 28' Texas Palm Dr. 180.00 lf Asphalt Width: 44' Via Sonoma Trail 2,342.15 lf Asphalt Width: 28' Drain "L" 13.00 lf Drain "O" 13.00 lf
Scott Hollow Unit 02 Plat No. CP202001 Precinct #4	Asher Alley 482.46 lf Asphalt Width: 28' Candace Way 975.15 lf Asphalt Width: 28' Drain "SSL A" 10.00 lf
Heather's Place Unit 05 & 06 Plat No. CP202006 Precinct #4	Heathers Elm 188.55 lf Asphalt Width: 28' Heathers Reef 240.55 lf Asphalt Width: 28' Heathers Star St. 956.36 lf Asphalt Width: 28' Heathers Sun 690.24 lf Asphalt Width: 28' Drain "G" 11.00 lf Drain "K" 151.11 lf Drain "L" 145.94 lf
Hunters Place Unit 02 Plat No. CP202008 Precinct No. 4	Fallow Xing 394.04 lf Asphalt Width: 28' Ivy Path 479.77 lf

SUBDIVISION

STREET/DRAIN

Asphalt Width: 28'
Oryx Fort 249.86 lf
Asphalt Width: 28'
Red Elks Lakes 348.43 lf
Asphalt Width: 28'
Drain "SSL A" 10.00 lf

Item(s) Brought by District Clerk:

(Gloria Martinez)

24. Approval to rehire former County employee, Carolyn Carrasco, as an Administrative Assistant with the Bexar County District Clerk's Office. This hiring conforms to Bexar County's Post Retirement Employment Policy.

Item(s) Brought by Civil District Courts:

(Courts)

25. Approval of a professional services Agreement between Bexar County and Family Violence Prevention Services, Inc., to provide case management and counseling services to participants of the Children's Court Family Drug Treatment Court Program for an amount not to exceed \$77,000. The term of the Agreement begins October 1st, 2022 through September 30, 2023.

Item(s) Brought by Sheriff's Office:

(Javier Salazar)

26. Approval of the Sheriff's request to place a seized 2017 Nissan Altima sedan VIN# 1N4AL3AP3HN311936 into service in the Organized Crime Division.
27. Approval of a request from the Bexar County Sheriff's Office to rehire retiree Troy Nichols as a full-time Law Enforcement Deputy effective January 11, 2023. This hiring conforms to Bexar County's Post Retirement Employment Policy.
28. Authorizing the County Auditor to pay Fiscal Year 23 invoice(s) for Bexar County Sheriff Office for services for NEC Corporation (repair maintenance computer) in the amount of \$25,479.97.
29. Authorizing the County Auditor to pay Fiscal Year 22 invoice(s) for Bexar County Sheriff Office for services for PTS of America (Extradition Expense) in the amount of \$9,910.

Item(s) Brought by Office of Criminal Justice:

(Mike Lozito)

30. Approval to rehire a former County employee, Marisol Garcia, as a Pretrial Bond Officer III with Bexar County Pretrial Services Office. This hiring conforms to Bexar County's Post Retirement Employment Policy.

Item(s) Brought by Facilities Management:

(Dan Curry)

31. Authorization for the County Judge to execute a funding agreement between Bexar County and Build San Antonio Green (BSAG) in the amount of \$85,000, to provide services and programs in the area of energy efficiency for the period of January 10, 2023 through September 30, 2023 .

Item(s) Brought by Economic and Community Development:

(David Marquez)

32. Approval of a request from the Economic & Community Development Department (ECD) for the County Auditor to pay the County sponsorship payment for eight (8) San Antonio Manufacturers Association (SAMA) Membership Luncheons for November 2022 – September 2023 in the amount of \$900. The sponsorship is requested by Deborah Carter, Director, Economic Development.

Item(s) Brought by Resource Management:

(Tina Smith-Dean)

33. Approval of a budget transfer in the amount of \$5,953,666 from the Non-Departmental - Contingencies to cover the cost of disaster services and reimbursement agreement with the Bexar County Community Arenas Board (CAB). This transfer will cover the cost of this agreement with the CAB, which will seek to reimburse CAB as part of the Federal Emergency Management Agency's (FEMA) Public Assistance Program for services provided during the COVID-19 emergency response.

Item(s) Brought by Information Technology:

(Mark Gager)

34. Ratification of a Data License Agreement between Bexar County and CostQuest Associates, Inc. to access Broadband Serviceable Locations compiled data at no cost to the County.

Item(s) Brought by County Courts-At-Law:

(Court)

35. Approval to create an Associate Judge position assigned to Bexar County Court at Law #8, to be appointed by Judge Mary Roman, in accordance with the authority of Section 54A.002 (a) of the Texas Government Code, utilizing designated Family Violence ARPA funding.

INDIVIDUAL AGENDA ITEMS:

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

Item(s) Brought by Economic and Community Development:

(David Marquez)

36. Presentation, discussion and appropriate action regarding an Economic Development Innovation Grant in the amount of \$150,000.00 to VelocityTX in support of the 2023 TechFuel–Bio talent development competition.

(Estimated Presentation Time: 10 minutes)

(David Marquez)

Item(s) Brought by Commissioners Court:

(Court)

37. Discussion and appropriate action regarding a request to provide direction to the Facilities Department to develop a scope of work and identify funding in an amount up to \$150,000 for Wellness Recharge Room and other morale related items to be located at the Adult Detention Center.
(Estimated Presentation Time: 10 minutes) (Grant Moody)

Item(s) Brought by Office of Criminal District Attorney:

(Joe Gonzales)

38. Discussion and appropriate action related to pending or contemplated litigation or a settlement offer in the matter of: *Luis Gomez v. Bexar County Sheriff Deputies Tuberville and Hernandez*
(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.

39. §551.071 Consultation with Attorney for advice regarding:
- a. Pending or contemplated litigation or settlement offers in the following matters:
 - i. *Luis Gomez v. Bexar County Sheriff Deputies Tuberville and Hernandez*

FILE INFORMATION

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