



UG-98-2020-26824

BEXAR COUNTY, TEXAS COMMISSIONERS COURT

NOTICE OF PUBLIC MEETING

The Bexar County Commissioners Court will meet on **Thursday, May 7, 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/Kevin Wolff)
2. Pledge of Allegiance: (Court/Kevin Wolff)

COMMISSIONERS COURT REGULAR AGENDA

3. *Recess Commissioners Court*

- a. **10:15 a.m.:** Convene as Board of Directors, **Bexar County Housing Finance Corporation.**
(Estimated Presentation Time: 5 minutes) (Board/Bracewell)

Reconvene Commissioners Court

4. Request of Commissioners Court to identify items from the Consent Agenda for additional discussion and to approve remaining Consent Agenda items.
5. 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 Intent to File Lawsuit for Constitutional Violations, Re: Freda Yokum.
 - b. Notice of Deposit, Re: The State of Texas v. NAJDS Property Investments, Inc., ET AL in Case No. 2019ED0045.
 - c. Notice of Imminent Domain Award, Re: The State of Texas v. NAJDS Property Investments, Inc., ET AL in Case No. 2019ED0045.
 - d. Fax letter from Deputy Sheriffs' Association of Bexar County, from Jeremy Payne, President Re: Grievance 2020-DSABC-Class-01 (Lieutenant Overtime Pay).
 - e. Fax letter from Deputy Sheriffs' Association of Bexar County, from Jeremy Payne, President Re: Grievance 2020-DSABC-Class-01 (Lieutenant Overtime) Grievance Committee response.
 - f. U.S. District Court –Summons in a Civil Action Directed to Bexar County, Texas c/o Nelson W. Wolff, Re: Moses Lozano, Individually and on Behalf of All Others Similarly v. Bexar County, Texas, Civil Action No. 5:20-CV-450-JKP.

- g. Fax letter from Deputy Sheriffs' Association of Bexar County, from Jeremy Payne, President Re: Notice of Intention to Invoke Final Binding Arbitration concerning Order of Dismissal of Brandon Doege.
 - h. Executive Order of County Judge Nelson W. Wolff, issued March 18, 2020.
 - i. Executive Order NW-02 of County Judge Nelson W. Wolff, issued March 19, 2020.
 - j. Executive Order NW-03 of County Judge Nelson W. Wolff, issued March 23, 2020.
 - k. Supplemental Executive Order NW-04 of County Judge Nelson W. Wolff, issued April 3, 2020.
 - l. Executive Order NW-05 of County Judge Nelson W. Wolff, issued April 6, 2020.
 - m. Supplemental Executive Order NW-06 of County Judge Nelson W. Wolff, issued April 17, 2020.
 - n. Executive Order NW-07 of County Judge Nelson W. Wolff, issued April 29, 2020.
6. Commissioners Court minutes for April 21, 2020 and April 28, 2020.
7. 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)

- 8. Authorizing the County Auditor to pay Fiscal Year 20 invoice(s) for Bexar County Sheriff's Office for services from Claim Fox 5 (contracted services) and Victory supply in the amount of \$3,106.75 These services and items were provide to the BCSO without a creation of a purchase order.

Items(s) Brought by Tax Assessor-Collector

(Albert Uresti)

- 9. Approval of a request for the waiver of penalty and interest, for the Bexar County taxing jurisdiction, in the amount of \$141.33 (penalty \$39.02 interest \$11.16 collection fees \$91.15) on account #00000-128-7268, Ranger Fleet, tax year(s) 2019 in accordance with Section 33.011 of the Texas Property Tax Code.

Item(s) Brought by County Auditor:

(Leo Caldera)

10. Authorization and approval for the County Auditor to pay routine bills from Monday, May 4, 2020 through Friday, May 15, 2020.
11. Authorization to distribute upcoming payroll, including overtime, uniform allowances, and auto allowances to be paid on Friday, May 15, 2020.
12. Approval of bills to include claims registers for Wednesday, April 22, 2020 and Friday, April 24, 2020; Wednesday, April 29, 2020 and Friday, May 1, 2020.
13. Request approval according to Section 31.11 for \$527,406.96 in refunds for payments received by the Tax Assessor-Collector's Office in the form of tax overpayments made on 60 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.
14. 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 April 2020. Notification of payment to those employees who have accumulated hours in excess of the FLSA maximum level for an estimated amount of \$47,475 and approval of the appropriate budget transfers.

Items(s) Brought Purchasing

(Patricia Torres)

15. Approval of a Cooperative Purchasing Agreement between Sourcewell, a State of Minnesota local government agency, and Bexar County for the purpose of allowing purchases of products and services through Sourcewell contracts; and authorizing the Purchasing Agent to execute and file appropriate award documents for record.
16. Awarding a four month extension to the agreement with Loomis Armored US, LLC to provide for Armored Transport Services for countywide departments and offices for the period beginning May 1, 2020 and ending August 31, 2020 under the same pricing, terms, and conditions in order to allow for evaluation of bids for award of a new requirement contract; and authorizing the Purchasing Agent to execute and file the appropriate award documents for record.
17. Awarding multiple requirements contracts to the lowest responsive and responsible bidders Badger Daylighting Corp. and Lewis Concrete Restoration Corp. (ESBE, HBE, MBE, SBE, WBE), to provide for the purchase of Storm Drain Cleaning and Inspection Services in the estimated annual amount of \$153,940 for an initial term of two (2) years beginning upon award and ending April 30, 2022, and providing for three (3) additional one-year renewal options as requested by the Public Works 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.

18. Awarding a contract to the lowest responsive and responsible bidder, Pavement Restoration Incorporated, to apply approximately 500,000 square yards of asphalt rejuvenator, as requested by the Public Works Department, in the estimated annual amount of \$600,000 and providing for four one-year renewal options; 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 requirements contract to Due Amicis, Inc. dba Green Landscaping to provide for the purchase of lawn care and tree trimming services at the Juvenile Probation Facilities beginning upon award and ending April 20, 2022, as requested by the Facilities Management Department, in the estimated annual amount of \$31,270; authorizing the Purchasing Agent to execute and file the appropriate award documents for record.
20. Approval of a renewal and amendment to a contract between Bexar County and the law firm of Linebarger Goggan Blair and Sampson, L.L.P., and Appraisal and Collection Technologies, LLC (ACT), a company wholly owned by the law firm for a three (3) year period beginning upon award through May 9, 2023 to provide Delinquent Tax Collections and Software License, Hardware Purchase and Maintenance; and authorizing the Purchasing Agent to execute and file appropriate award documents for record.

Item(s) Brought by Public Works:

(Renee Green)

21. Approval to negotiate a contract for the provision of Professional Engineering Services for the Spurs Ranch Phase I Project, Precinct 1, with Freese and Nichols, Inc. The Professional Engineering Service Contract will include Preliminary Engineering Design, Detailed Design, Bid Phase, Construction Phase, Post-Construction Phase Services, and other project related professional services.
22. Approval of subdivision plat#18-900104 within the Extra Territorial Jurisdiction of the City of San Antonio: Stoney Creek Unit 1, owner: Continental Homes of Texas, L.P., located west of Mulberry Creek and Onion Creek, not within the Edwards Aquifer Recharge Zone. Precinct Number 1.
23. Approval of subdivision plat#18-900115 within the Extra Territorial Jurisdiction of the City of San Antonio: Langdon Unit 7, owner: Continental Homes of Texas, L.P. located north of Evans Road and Golf Range Drive, within the Edwards Aquifer Recharge Zone. Precinct Number 3.
24. Approval of subdivision plat#180432 within the Extra Territorial Jurisdiction of the City of San Antonio: Waterwheel Unit 4B, owner: Lennar Homes of Texas, LTD, located south of Landa Falls and Nettleton Mill, not within the Edwards Aquifer Recharge Zone. Precinct Number 2.
25. Approval of subdivision plat#180481 within the Extra Territorial Jurisdiction of the City of San Antonio: Pecan Springs Ranch Unit 3, owner: Crighton Development, located south of Pecan Hill and Pecan Bluff, not within the Edwards Aquifer Recharge Zone. Precinct Number 3.
26. Approval of subdivision plat#180494 within the Extra Territorial Jurisdiction of the City of San Antonio: Langdon Unit 3, owner: Continental Homes of Texas, L.P., located west of Langdon Landing and Forward Swing, within the Edwards Aquifer Recharge Zone. Precinct Number 3.

27. Approval to establish Traffic Control devices as Stop Zones at specified locations in Precinct Numbers 2, 3 & 4.

STOP ZONES TO BE ESTABLISHED:

Precinct Number 2

Waterwheel Subdivision Unit 4B Collector Plat #180410

The Stop Sign shall be on Wherwell Mill at its intersection with Landa Falls. (1 stop)

The Stop Sign shall be on Whitton Way at its intersection with Landa Falls. (1 stop)

Waterwheel Park Collector Plat #180411

The Stop Sign shall be on Nettleton Mill at its intersection with Landa Falls. (1 stop)

Precinct Number 3

Langdon Unit 3 Plat #180494

The Stop Sign shall be on Swing Arc Way at its intersection with Pivot Point. (1 stop)

The Stop Sign shall be on Swing Arc Way at its intersection with Reading Green. (1 stop)

Precinct Number 4

Winterfell Subdivision Unit 1 Plat #180070

The Stop Sign shall be on Winterfell Pass at its intersection with Binz-Engleman Rd. (1 stop)

The Stop Sign shall be on Snowbasin at its intersection with Winterfell Pass. (1 stop)

Winterfell Subdivision Unit 2 Plat #180162

The Stop Sign shall be on Snowbird at its intersection with Binz-Engleman Rd. (1 stop)

The Stop Sign shall be on Powder Gorge at its intersection with Snowbird. (1 stop)

The Stop Sign shall be on Josephs Way at its intersection with Snowbird. (1 stop)

Item(s) Brought by Office of Criminal Justice:

(Mike Lozito)

28. Approval of Interlocal Cooperation Contract with Texas Department of Public Safety to implement the provisions of Texas Transportation Code Chapter 706.
29. Approval and execution of the Second Amendment to an Agreement for Professional Services between Bexar County and Alpha Home for substance abuse treatment services for the Felony Adult Criminal Drug Court, Reentry and Opioid Programs. Contract total not to exceed \$94,250 with authorized funding from Criminal Justice Division Grant# 2047012; Bureau of Justice Division Grant #'s 2018-CZ-BX-0018 and 2018-AR-BX-K052 for a term of September 1, 2019 to September 30, 2020.
30. Authorizing the execution of a Second Amendment Agreement for Professional Services between Bexar County and Rosetta's Key PLLC for \$37,888 for transitional housing services for the Prostitution Prevention Program "The Esperanza Court" with approved funding from the Criminal Justice Division Grant# 2760306. The term of the funding should not exceed September 1, 2019 to August 31, 2020.

Items(s) Brought by Economic and Community Development:

(David Marquez)

31. Approval and execution of the First Amendment to the Agreement for Burial Services is made and entered between Bexar County and First Memorial Park Cemetery, which began January 1, 2020 and ending December 31, 2020, for an increase in funds of \$285,300.00 for the first year of a three year Agreement and two additional one-year option for renewal, for burial services required under the Texas Health and Safety Code to include the appropriate budget transfer.

- 32. Approval and execution of the Amendment to the FY 2019/2020 Management Agreement between Bexar County and The Health Collaborative, which began October 1, 2019 and ends on September 30, 2020, which reduces the Agreement amount to a total of \$500,000 from the General Fund.
- 33. Approval and Execution of the Management Agreement between Bexar County and the Housing Authority of Bexar County to administer and implement the Bexar County's Temporary Rental Assistance Measure in the amount of \$2,600,000 for a period beginning May 1, 2020 and ending on September 30, 2020.
- 34. 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
Family Violence Prevention Services	\$25,000

Item(s) Brought by Bexar Heritage and Parks:

(Betty Bueche)

- 35. Granting a discretionary exemption under Local Government Code 262.024 (a) (3) for the purpose of awarding a contract to Payton Mechanical for the repair of the exterior plumbing at the Harlandale Civic Center as requested by the Heritage & Parks Department in the amount of \$132,025; and authorizing the Purchasing Agent to execute and file the appropriate award documents for record.

Items(s) Brought by Resource Management

(Tina Smith-Dean)

- 36. Approval to submit a grant application and certification to the Department of Justice Office (DOJ) Bureau of Justice Assistance (BJA) for the solicitation FY2020 Emergency Supplemental Funding (CESF) Program in the amount of \$137,462; and acceptance upon award. There is no match required from the County and the term of the grant begins February 1, 2020 to January 31, 2022.

Item(s) Brought by Criminal District Court Administration:

(Ron Rangel)

- 37. Authorization and approval for the County Auditor to pay the invoice from Central Transportation Systems in the amount of \$1,295.

Item(s) Brought by Juvenile Probation:

(Lynne Wilkerson)

- 38. Ratification of Approval to submit a grant application and certification to the Office of Juvenile Justice and Delinquency Prevention (OJJDP) for the solicitation entitled FY 2020 Juvenile Justice and Mental Health Collaboration Program in the amount of \$958,140 representing \$750,000 in OJJDP funds, plus \$208,140 In-Kind match (to include a percentage of salaries of County employees funded under the general fund) for the Bexar County Juvenile Probation Department's Mental Health Reentry Court; and acceptance of funding upon award, and authorization of the County Judge to execute a Resolution to effect this approval; there is a required in-kind match, and the term of the grant will be October 1, 2020 through September 2023.

Items(s) Brought by Commissioners Court

(Court)

- 39. Approval requested by Commissioner Justin Rodriguez to appoint Brielle Insler to the Child Welfare Board of Directors to serve a term that starts with approval and to expire December 31, 2021.
- 40. Approval of a request from County Judge Nelson W. Wolff to appoint the following Bexar County Commissioners Court appointees to the Hospital District Board of Managers for a 2 year term.

Name	Date of Appointment	of	Expire	Replacing
James Adams	May 5, 2020		May 5, 2022	Reappointment
T.J. Mayes	May 5, 2020		May 5, 2022	Janie Barrera
Dr. Margaret Kelley	May 5, 2020		May 5, 2022	Dianna M. Burns

Item(s) Brought by District Attorney:

(Joe Gonzales)

- 41. Approval of a professional services agreement with The Law Offices of Charles S. Frigerio, P.C. for certain representation of Jency Miguel Contreras and Joseph Humberto Martinez, III in Bishoy Elkhaly v. County of Bexar, et. al., Civil Action No. 5:20-CV-100 in an amount not to exceed \$25,000 without further amendment of the agreement, as authorized on April 21, 2020.
- 42. Approval of a professional services agreement with Cavaretta, Katona & Leighner, P.L.L.C, for certain representation of Bexar County in the matter of Joshua Ruiz v. Bexar County, Texas an amount not to exceed \$25,000 without further amendment of the agreement, as authorized on April 21, 2020.
- 43. Approval of a professional services agreement with The Law Office of Albert Lopez for certain representation of Bexar County in Bishoy Elkhaly v. County of Bexar, et. al., Civil Action No. 5:20-CV-100 in an amount not to exceed \$25,000 without further amendment of the agreement, as authorized on April 21, 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)

- 44. Presentation, discussion and appropriate action regarding matters related to COVID-19 to include the following:
 - a. Discussion and appropriate action regarding the Coronavirus Aid, Relief, and Economic Security (CARES) Act and Coronavirus Relief Fund; and

- b. Ratification of three budget transfers in the amount of \$175,000 and \$125,000 and \$350,000 for the Office of Emergency Management for the purchase of safety supplies, including Personal Protective Equipment (PPE), in response to the COVID – 19 Pandemic; and
- c. Approval regarding CARES Act Provisions to Bexar County's 457(b) Retirement Plans (Valic, VOYA, Nationwide & ICMA); and
- d. Discussion and appropriate action regarding a revision to Human Resources Policy 7.2.06 Promotions and Temporary Promotions to add a provision allowing for the reassignment of employees.
(Estimated Presentation Time: 1 hour) (Court)

Items(s) Brought by Economic and Community Development: (David Marquez)

- 45. Presentation and update on the Medical Manufacturing Alliance of South Central Texas initiative.
(Estimated Presentation Time: 10 minutes) (David Marquez)

Item(s) Brought by Facilities Management: (Dan Curry)

- 46. Update regarding downtown construction projects and their current and future impacts on County facilities and operations.
(Estimated Presentation Time: 5 minutes) (Dan Curry)

Posted: Friday, May 1, 2020 at 4:45 p.m.

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