



BEXAR COUNTY, TEXAS COMMISSIONERS COURT

NOTICE OF PUBLIC MEETING

The Bexar County Commissioners Court will meet on **Tuesday, June 15, 2021 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.

**NELSON W. WOLFF
COUNTY JUDGE**

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

**TRISH DeBERRY
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: Pastor Rick Godwin, Summit Christian Center (Court/Trish DeBerry)
2. Pledge of Allegiance: (Court/Trish DeBerry)

COMMISSIONERS COURT REGULAR AGENDA

3. **CEREMONIAL ITEM(S):**

- a. Presentation of an Hidalgo on behalf of Judge Nelson Wolff, Bexar County Judge, recognizing Dr. Charles Cotrell for his years of service as a Professor at St. Mary's University.
(Estimated Presentation Time: 5 minutes) (Nelson Wolff)
- b. Presentation of a Proclamation to the Fiesta San Antonio Commission, Inc., recognizing June 17, 2021 through June 27, 2021 as "Fiesta week."
(Estimated Presentation Time: 10 minutes) (Court)
- c. Presentation of a Proclamation on behalf of Commissioners Court recognizing King Antonio XCVIII, Phillip P. Bakke.
(Estimated Presentation Time: 10 minutes) (Court)
- d. Presentation of a Proclamation recognizing June 22, 2021 through June 25, 2021 as "Night In Old San Antonio."
(Estimated Presentation Time: 10 minutes) (Court)
- e. Presentation of a Proclamation recognizing His Royal Majesty, El Rey Feo LXXII, Thomas R. Aguillon.
(Estimated Presentation Time: 10 minutes) (Court)

4. **SPECIAL PRESENTATIONS ITEM(S):**

- a. Introduction of the ten arts organizations and interns participating in the 2021 Generation NEXT Bexar County Arts Internship Program.
(Estimated Presentation Time: 10 minutes) (David Marquez)

5. **TIME CERTAIN ITEM(S):**

Recess Commissioners Court

- a. **11:00 a.m.:** Convene as Board of Directors, **Bexar County Public Facility Corporation.**
(Presentation Time: 15 minutes) (Board)

Reconvene Commissioners Court

Recess Commissioners Court

- b. **11:15 a.m.:** Convene as Board of Directors, **Bexar County Housing Finance Corporation**
(Presentation Time: 15 minutes) (Board)

Reconvene Commissioners Court

6. Request of Commissioners Court to identify items from the Consent Agenda for additional discussion and to approve remaining Consent Agenda items.
7. Filing for record the following legal and administrative documents and directing the Criminal District Attorney's Office to take action, if necessary:
- a. Citation directed to Bexar County Judge Nelson Wolff, Plaintiff's Original Petition, Re: Nicole Wise et al vs. Bexar County, Texas et al, Case No. 2021-CI-08788.
 - b. Citation directed to Nelson W. Wolff, County Judge, Plaintiff's Original Petition and Discovery Requests, Re: Jesus A Eguia vs. Bexar County, Texas et al, Case No. 2020-CI-22446.
 - c. Bond for County Clerk and Records Management Officer, Lucy Adame-Clark.
 - d. Bexar County Sheriff's Office FY 2021 Budget for State Asset Forfeiture Fund – 312 (May 20, 2021).
 - e. Demand and Presentment of Claim from the Combined Law Enforcement Associations of Texas, Re: Deputy Jack Farmer.
 - f. Summons in a Civil Action directed to Bexar County Judge Nelson W. Wolff, Plaintiff's Original Complaint, Re: John Ripley vs. Bexar County, Texas et al, Case No. 5:21-CV-00333-OLG.
 - g. Notice of liability and Notice of Criminal Activity of Deputies/Officers, directed to David L. Smith, submitted by Michael James Brady Estate, c/o Aryeh Mykha-el.
 - h. Judgement of Court in Absence of Objection, Re: The State of Texas vs. Humberto Villalobos, et ux, et al, Probate Cause No. 2020ED0015.
 - i. Notice Letter - Texas Tort Claims Act, submitted by Marco Crawford Law, PLLC, Re: Michael O'Shea on behalf of his deceased son Ryan O'Shea.
 - j. Tort Claims Notice submitted by Davis Law Firm, Re: Raul Loredo.

8. Commissioners Court minutes for Tuesday, June 1, 2021 and Wednesday, June 2, 2021.
9. 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)

10. Approval of bills to include claims registers for Wednesday, June 2, 2021 and Friday, June 4, 2021; Wednesday, June 9, 2021 and Friday, June 11, 2021.
11. 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 May 2021. Notification of payment to those employees who have accumulated hours in excess of the FLSA maximum level for an estimated amount of \$332,679 and approval of the appropriate budget transfers.
12. Authorization and approval for the County Auditor to pay routine bills Monday, June 14, 2021 to Friday, July 9, 2021.
13. Authorization to distribute upcoming payrolls, to include overtime, uniform allowances, and auto allowances to be paid on Tuesday, June 15, 2021 and Wednesday, June 30, 2021.
14. Request approval according to Section 31.11 for \$1,020,590.12 in refunds for payments received by the Tax Assessor-Collector's Office in the form of tax overpayments made on 72 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.
15. Approval of Tax Assessor-Collector's Report of Taxes collected in May 2021 and approval of the order transferring tax collections for the month of May 2021 from unallocated receipts.

Item(s) Brought Tax Assessor-Collector's Office:

(Albert Uresti)

16. Approval of an order canceling previously issued refund checks for overpayment or adjustment refunds from \$50.01 to \$100 from the Bexar County Tax Office for 81 checks totaling \$6,019.15 to be credited to the Unclaimed Money Fund and subject to publication notification in accordance with Texas Property Code, Title 6. Unclaimed Property, Chapter 76.

17. Approval of an order canceling previously issued refund checks for overpayment, adjustment and erroneous payment of taxes from the Bexar County Tax Office for 405 checks totaling \$465,977.71 in accordance with Tax Code Chapter 31.11, Refunds of Overpayment or Erroneous Payments and the monies from these accounts to be transferred and then be paid to the County General Fund.
18. Approval of an order canceling previously issued refund checks for adjustments to the roll from the Bexar County Tax Office for 146 checks totaling \$116,740.27 to be escheated to the state in accordance with Texas Property Code, Title 6. Unclaimed Property, Chapter 76 and the monies from these accounts to be transferred and then be paid to the County General Fund and Texas Comptroller of Public Accounts.
19. Approval of an order canceling previously issued refund checks for overpayment or adjustment refunds for \$50 and under from the Bexar County Tax Office for 352 checks totaling \$4,955.59 and crediting the monies to the Unclaimed Money Fund.

Item(s) Brought by Civil District Court:

(Peter Sakai)

20. Approval to accept a donation from the PEARLS Foundation for \$9,000 for interns for the PEARLS court.

Item(s) Brought by Office of the County Manager:

(David Smith)

21. Approval of a Personal Services Agreement between Bexar County and Elizabeth McArthur for library consulting service provision for a period of three months, in an amount not to exceed \$17,404.80, to commence June 15, 2021 and terminate September 15, 2021, with an option for extension.
22. Approval of a First Amendment to the Personal Services Agreement between Bexar County and Baltazar R. Serna, Jr. to provide federal legislative consulting services in a total annual amount of \$60,000.
23. Approval of a Professional Services Agreement between Bexar County and Cristina Antelo to provide federal legislative consulting services in a total annual amount of \$84,000.

Item(s) Brought by Purchasing:

(Patricia Torres)

24. Approval to declare twenty-one (21) vehicles surplus for auction in accordance with Local Government Code 263.152. (A)(1)(C)(6).
25. Awarding a delivery order to Precision Delta Corporation for the purchase of training and duty ammunition for firearms certification and annual re-qualification, in the amount of \$137,704.70, through TxSmartBuy contract #680-A1, as requested by the Sheriff's Office; and authorizing the Purchasing Agent to execute and file the appropriate award documents for record.

26. Award a contract to the lowest, most responsive bid, submitted by ARS Specialty Contractors, LLC dba Garren Construction (DBE, HABE, MBE, SBE, WBE) for the Bexar County Courthouse ADA Improvements Project, in the base bid amount of \$126,584.87, plus \$10,000 owner contingency, for a total award of \$136,584.87, as requested by the Facilities Management Department; and authorizing the Purchasing Agent to execute and file the appropriate award documents for record.

Item(s) Brought by Justice of the Peace Precinct 3:

(Jeff Wentworth)

27. Approval of a request from Hon. Jeff Wentworth, Justice of the Peace, Pct. 3 to rehire a retiree, Ms. Jane Esteves, starting June 21, 2021.

Item(s) Brought by Public Works:

(Renee Green)

28. Approval of subdivision plat# 19-11800157 within the Extra Territorial Jurisdiction of the City of San Antonio: Lamm Road PUD, owner: Smartchoice Builders, LLC, located west of Lamm Road and Priest Road, not within the Edwards Aquifer Recharge Zone. Precinct Number 1.
29. Approval of subdivision plat# 180144 within the Extra Territorial Jurisdiction of the City of San Antonio: Blackbuck Ranch Unit 1A Phase 1 PUD, owner: Southerland Canyons, LLC, located east of Nina Ridge and Casey Canyon, not within the Edwards Aquifer Recharge Zone. Precinct Number 3.
30. Approval of subdivision plat# 19-11800344 within the Extra Territorial Jurisdiction of the City of San Antonio: Preserve at Culebra Unit 1, owner: KB Home Lone Star, L.P., located east of Culebra Road-F.M. 471 and Kallison Bend, not within the Edwards Aquifer Recharge Zone. Precinct Number 1.
31. Approval of subdivision plat# 19-11800362 within the Extra Territorial Jurisdiction of the City of San Antonio: Holman Acres Enclave, owner: HM Balcones Creek GP, Inc., located west of Deidehban Drive and Benedikt Path, not within the Edwards Aquifer Recharge Zone. Precinct Number 3.
32. Approval of subdivision plat# 20-11800253 within the Extra Territorial Jurisdiction of the City of San Antonio: Monteverde Unit 4-A (Enclave), owner: HDC Davis Ranch II LLC, located northwest of Resort Parkway and Marriot Parkway, within the Edwards Aquifer Recharge Zone. Precinct Number 3.
33. Approval of subdivision plat# 20-11800296 within the Extra Territorial Jurisdiction of the City of San Antonio: Crestway Heights Unit 3, owner: San Antonio LD, LLC, located west of Brucks Drive and Seguin Road, not within the Edwards Aquifer Recharge Zone. Precinct Number 4.
34. Approval of subdivision plat# 20-11800399 within the Extra Territorial Jurisdiction of the City of San Antonio: Blue Skies Unit 3, owner: CW-BSLB, LLC, located north of Jovian and Galatea, not within the Edwards Aquifer Recharge Zone. Precinct Number 1.
35. Approval of subdivision plat# 21-11800060 within the Extra Territorial Jurisdiction of the City of San Antonio: Galm Road HS – Tall Timber Lane, owner: Northside Independent School District, located east of Galm Road and Highland Trace, not within the Edwards Aquifer Recharge Zone. Precinct Number 2.

36. Approval to execute a field alteration request for final recapitulation of project costs between Bexar County and J3 Company in connection with Capital Project, Fischer Road Phase I Purchase Order No. 11601019. The recapitulation shows a decrease in the amount of \$16,646.22 for a final construction amount of \$2,092,178.16, Precinct Number 1.
37. Order accepting the following streets and drains in the identified subdivisions for County maintenance to begin June 15, 2021:

SUBDIVISION

STREET/DRAIN

Arcadia Ridge Unit 03-C Phase 01
Plat No. 160500
Precinct #1

Brass Canyon 698.56 lf
Asphalt Width: 28'
Ironhill Trace 543.83 lf
Asphalt Width: 28'
Lost Elk Dr. 199.82 lf
Asphalt Width: 28'
Oak Willow 822.25 lf
Asphalt Width: 28'
Drain "A" 11.00 lf
Drain "B" 11.00 lf

Ranch View Unit 04
Plat No. 160080
Precinct #2

Ranch View East (North) 1,116.38 lf
Asphalt Width: 30'
Ranch View East (South) 1,116.38 lf
Asphalt Width: 24'
Drain "A" 86.00 lf
Drain "B" 75.47 lf
Drain "C" 95.95 lf
Drain "D" 83.23 lf
Drain "E" 65.32 lf

Waterford Park Unit 08-A
Plat No. 180395
Precinct #2

Ashgrove 323.08 lf
Asphalt Width: 28'
Tobbyton 365.54 lf
Asphalt Width: 28'
Waterford Path 981.21 lf
Asphalt Width: 28'
Westbury Falls 588.98 lf
Asphalt Width: 28'
Drain "A" 11.00 lf

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

STOP ZONES TO BE ESTABLISHED:

Precinct Number 3

Sundance Ranch Subdivision Unit 2A Plat #180167

The Stop Sign shall be on Purple Hackett at its intersection with Buffalo Clover. (1 stop)
The Stop Sign shall be on Buffalo Clover at its intersection with Star Mica. (1 stop)

Precinct Number 4

Kendall Brook Unit 3 Plat #19-11800234

The Stop Sign shall be on Brisk Brook at its intersection with Kendall Cove. (1 stop)

The Stop Sign shall be on Kendall Prairie at its intersection with Soothing Creek. (1 stop)

The Stop Sign shall be on Soothing Creek at its intersection with Walzem Rd. (1 stop)

Kendall Brook Unit 5 Plat #19-11800353

The Stop Sign shall be on Chestnut Barr at its intersection with Falcon Meadow. (1 stop)

The Stop Sign shall be on Beech Trail at its intersection with Walzem Rd. (1 stop)

The Stop Signs shall be on Falcon Meadow at its intersection with Beech Trail. (2 stops)

The Stop Sign shall be on Cheryl Meadow at its intersection with Beech Trail. (1 stop)

- 39. Approval of the Engineering Services Agreement between Bexar County and Halff Associates, Inc., in the amount of \$610,561.95 for Professional Engineering Services for the Flood Control Project, Bulverde Road at Elm Waterhole Creek, Precinct 3.

Item(s) Brought by Military and Veterans Services:

(Nancy S. Taguacta)

- 40. Appointment of Steven McKee as a Veteran Services Officer.

Item(s) Brought by Resource Management:

(Tina Smith-Dean)

- 41. Approval of the amendment to professional services agreement for insurance consulting with McGriff, Seibels and Williams of Texas Inc. to accept the name change to McGriff Insurance Services and enter into a HIPAA Business Associate Agreement.
- 42. Approval of renewal of the agreement between Bexar County and Aetna Life Insurance Company for third-party administration of Employee Health Care Plans for Plan Year 2022 and authorization to release a Request For Proposals (RFP) for third-party administration services.

Item(s) Brought by Economic and Community Development:

(David Marquez)

- 43. Approval of the appointments of the following nominations to the San Antonio Area HIV Health Services Planning Council with a term beginning on March 1, 2021 and ending February 28, 2023:

Appointments:

<u>Name</u>	<u>Membership Category</u>	<u>Replacing</u>
Jonathan Woodward-Cuadrado	Affected Community	N/A
Korie Smith	Social Service Provider-VA	N/A
Mikela Villareal	Other Federal HIV Programs, including HIV Prevention programs	N/A

- 44. Approval and execution of the Owner/Developer Agreement between Bexar County and Housing and Community Services, Inc. (dba Prospera Housing Community Services (PHCS)) to provide HOME Investment Partnerships Program funds for the Village at Nogalitos Project utilizing Program Year (PY) 2020 HOME Program funds in the amount of \$500,000.

Item(s) Brought by Facilities Management:

(Dan Curry)

45. Approval for consent to a change of control for Vickrey & Associates LLC to ESP Associates Inc. for purposes of the Agreement for Architectural and Engineering Services — Re: 51 Acres, dated November 14, 2017.
46. Request approval authorizing the County Auditor to pay invoice(s) for Facilities Management for services provided by NBCP Communications for total amount of \$4,200.

Item(s) Brought by Commissioners Court:

(Court)

47. Approval of a request by County Judge Nelson Wolff to appoint Chris Dawkins to the City/County Joint Commission on Elderly Affairs to serve a 2 year term ending on June 30, 2023.
48. Approval of a Resolution to support the following nominations to the Alamo Area Metropolitan Planning Organization (AAMPO): Precinct 1 Commissioner Rebeca Clay-Flores as the 1st Vice Chair of the Transportation Policy Board; and Precinct 3 Commissioner Trish DeBerry as a member of the Executive Committee.
49. Approval of a request by Commissioner Rebeca Clay-Flores to appoint Ms. Arrie Porter to the Bexar County Housing Authority Board, to replace Frank Moreno, to begin upon appointment and expire December 31, 2022.
50. Approval requested by Commissioner Justin Rodriguez Precinct 2, to appoint Ramiro Gonzales to the Small, Minority and Women-Owned Business Enterprise Program Advisory Committee (SMWBE), to begin upon appointment and to expire May 5, 2023.
51. Approval of a request from Commissioner Trish DeBerry, Pct. 3 to appoint Lynn Ginader and reappoint Mario Hune to the Emergency Service District #8 to fill the position for a 2 year term to begin upon appointment and expire on December 31, 2023.

INDIVIDUAL AGENDA ITEMS:

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

Item(s) Brought by Probate:

(Veronica Vasquez)

52. Presentation, discussion and appropriate action regarding a request from Judge Veronica Vasquez, Probate Court 2, to create three (3) regular positions to assist with increased caseload in the amount of \$325,881.
(Estimated Presentation Time: 15 minutes)

(Veronica Vasquez)

Item(s) Brought by Purchasing:

(Patricia Torres)

53. Authorizing the renewal and amendment of the County Depository Agreement with Bank of America, N.A., providing for banking depository services in the estimated annual amount of \$333,643, renewing it for a term beginning upon award and ending on April 14, 2023; and authorizing the Purchasing Agent to execute and file the appropriate award documents for record.

Deferred from June 1, 2021. Item # 59

(Estimated Presentation Time: 10 minutes)

(Patricia Torres)

54. Presentation, discussion and appropriate action regarding authorizing the execution of Waste Disposal Services within Precinct 4, the City of San Antonio and its Extraterritorial Jurisdiction (ETJ) agreements between: Bexar County and C-6 Disposal Systems, Inc. for an estimated annual amount of \$486,236.40; and Bexar County and Tiger Sanitation for an estimated annual amount of \$383,010 for an estimated, combined total annual amount of \$869,246.40, over a term of three (3) years commencing upon award, and providing for two (2) additional, one-year terms, as requested by the Environmental Services Department; 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.

(Estimated Presentation Time: 10 minutes)

(Patricia Torres)

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

(Chris Lopez)

55. Discussion and appropriate action regarding the setting of a place, date and time for a Public Hearing to consider the petition to establish the Bexar County Emergency Service District No. 9.

(Estimated Presentation Time: 10 minutes)

(Chris Herrera)

Item(s) Brought by Commissioners Court:

(Court)

56. Consideration of a Resolution of Support to conduct a Bexar County Fleet Electrification Assessment to support policy development and inform decision-making aimed at reducing greenhouse gas emissions resulting from County-owned vehicles.

(Estimated Presentation Time: 10 minutes)

(Justin Rodriguez)

Item(s) Brought by Economic and Community Development:

(David Marquez)

57. Discussion and appropriate action regarding approval for Economic and Community Development (ECD) to collaborate with Opportunity Accelerator (OA) in a 6-month pilot partnership.

(Estimated Presentation Time: 10 minutes)

(David Marquez)

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.

58. §551.071 Consultation with Attorney for advice regarding:
- a. Pending or contemplated litigation or settlement offers in the following matters:
 - i. Joe Martinez, Jr. and Maria Martinez vs. Bexar County
59. §551.0725 Deliberation regarding contract being negotiated:
(Upon receipt of written authorization from the Criminal District Attorney, the Commissioners Court must vote unanimously that deliberation in an open meeting would have a detrimental effect on the position of Commissioners Court in negotiations with a third person.)
- a. Collective Bargaining negotiations with the Deputy Sheriffs Association of Bexar County under Chapter 174 of the Local Government Code.

Posted: Friday, June 11, 2021 at 4:45 p.m.

FILE INFORMATION

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