

BEXAR COUNTY, TEXAS COMMISSIONERS COURT

NOTICE OF PUBLIC MEETING

The Bexar County Commissioners Court will meet on **Tuesday, October 20, 2015 at 10:00 a.m. in the new 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**

**PAUL ELIZONDO
COMMISSIONER, PRECINCT 2**

**TOMMY CALVERT
COMMISSIONER, PRECINCT 4**

**GERARD RICKHOFF
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 FOR DISABLED PERSONS

This meeting site is accessible to disabled persons as follows: Entrance to the Bexar County Courthouse is accessible through the north end of the Courthouse located at the intersection of Dolorosa and Main streets. To access the second floor, individuals must use the handicap ramp located at the northwest corner of the County Courthouse and take the elevator to the second floor.

COMMISSIONERS COURT CEREMONIAL AGENDA

1. Opening Prayer: Tracy Potts (Kevin A. Wolff)
2. Pledge of Allegiance (Kevin A. Wolff)

COMMISSIONERS COURT REGULAR AGENDA

3. CEREMONIAL ITEM(S):

- a. Presentation of a service pin recognizing a Bexar County employee for 25 years of service:

Name	Years	Date Employed	Office/Department
Juan Magana	25	09/04/1990	Sheriff
John Perez	25	09/04/1990	Sheriff
Cedric Wade	25	09-04-1990	Sheriff

(Estimated Presentation Time: 5 minutes)

(Court)

- b. Presentation of a proclamation on behalf of Commissioners Court recognizing “National Save for Retirement Week.”
(Estimated Presentation Time: 5 minutes) (Tommy Calvert/Court)

4. SPECIAL PRESENTATION:

- a. Presentation of grant checks for various traffic safety programs in Bexar County.
(Estimated Presentation Time: 5 minutes) (Court)
- b. Special presentation from the Veterans Service Office regarding the San Antonio Chamber of Commerce’s “Celebrate America’s Military” community events, an annual tribute to our nation’s military and those who have served in our Armed Forces, from October 29 through November 11, 2015.
(Estimated Presentation Time: 5 minutes) (Queta Marquez)

5. TIME CERTAIN:

- a. **11:00 a.m.** – Discussion and appropriate action regarding the approval of a Cooperative Agreement between Bexar County and the City of San Antonio for the City of San Antonio to conduct the Camelot II Municipal Solid Waste (MSW) Pilot program in unincorporated Bexar County, Precinct 4.
(Estimated Presentation Time: 10 minutes) (Renee Green)

6. Communications from citizens who signed the register to speak.

COMMISSIONERS COURT REGULAR AGENDA

7. Request of Commissioners Court to identify items from the Consent Agenda for additional discussion and to approve remaining Consent Agenda items.
8. Filing for record the following legal and administrative documents and directing the Criminal District Attorney's Office to take action, if necessary:
 - a. Interlocal Agreement between Bexar County and City Public Service in connection with Flood Control Capital Project, Prue Road at French Creek, LC6, Precinct No. 3, approved August 18, 2015.
 - b. Modification of Contract between Bexar County and the Texas Department of Criminal Justice Contracts and Procurement, approved September 1, 2015.
 - c. Val Flores, Bexar County Constable Pct. 2, Fiscal Year 2016 budgets for State Asset Forfeiture Fund 316, Federal Asset Forfeiture Fund 317 and LEOSE Fund 117.
 - d. Ruben C. Tejada, Bexar County Constable Pct. 1, Fiscal Year 2015-16 budgets for State Asset Forfeiture Fund 314, Federal Asset Forfeiture Fund 315 and LEOSE Fund 116.
 - e. U. S. Bankruptcy Court for the District of Delaware, Notice of Monthly, Interim and Final Fee Application, In re: AMCAD HOLDINGS, LLC, et al.
9. Approval of Commissioners Court minutes for October 6, 2015.

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, discussed, and appropriate action taken separately.

Items(s) Brought by Commissioners Court:

(Court)

10. Approval of a Right of Entry Agreement between Bexar County and the San Antonio Water System to allow Bexar County to access the real property described as Lot 1, County Block 5073, in the City of San Antonio, Bexar County, Texas aka 6754 Montgomery Drive for the purpose of collecting and disposing of recyclable and non-recyclable materials from the residents of the Crownwood Homeowners Association and the Brookwood Homeowners Association.

Items(s) Brought by the County Manager's Office:

(David Smith)

11. Request approval by Bexar County Commissioners Court of the Operating Agreement, dated effective September 22, 2015, between Bexar County and Born Again Sports, Inc. to take over operations of the amateur sports venue for youth baseball at Southside Lions Park, which was previously run by Southeast Boys Baseball, Inc.
12. Authority for staff to negotiate a Sponsorship Agreement between Bexar County and Galaxy Presents, LLC for sponsorship of the Dia de los Muertos Celebration, to be held at La Villita Historic Arts Village and Arneson River Theatre on October 24-25, 2015; for promotional materials highlighting Bexar County for a total amount not to exceed \$5,000.

Item(s) Brought by District Attorney:

(Nicholas "Nico" LaHood)

13. Approval of the R-12 Service Agreement Renewal Notice between Bexar County and Appriss for Texas VINE annual maintenance for fiscal year 2016 (09-01-15-08-31-16) in the amount \$88,080.24 to be reimbursed to Bexar County via a Grant Contract between Bexar County and the Attorney General of Texas for services related to the County's participation in the Texas Victim Information and Notification Everyday ("VINE") Program; there is no County match required regarding the approval of this agreement.
14. Approval of a request from the Criminal District Attorney to provide additional pay from its Asset Forfeiture Account for the following; \$9,000 additional pay per year to Assistant Criminal District Attorney Employee #30151.
15. Approval of a request from the Criminal District Attorney to provide additional pay from its Asset Forfeiture Account for the following; \$5,228 additional pay per year to Assistant Criminal District Attorney Employee #32755.

Items(s) Brought by Sheriff's Office:

(Susan Pamerleau)

16. Approval of a Memorandum of Understanding between the Bexar County Sheriff's Office and Baptist Child and Family Services Health and Human Services (BCFS HHS) to provide Texas Families Together and Safe (TFTS) services at the Bexar County Adult Detention Center.

Items(s) Brought by Civil District Court Administration:

(Peter Sakai)

17. Approval of a Professional Services Contract between Bexar County and LGM Counseling Center, LLC for the time period of September 1, 2015 through August 31, 2016, with total expenditures not exceeding \$72,334, to continue the operation of a program of therapy services to adults and children who are participating in the Children's Court Family Drug Treatment Program funded by the Office of the Governor, Criminal Justice Division Grant, CJD Application Grant#1736712.

Item(s) Brought by County Auditor:

(Susan Yeatts)

18. Authorization and approval for the County Auditor to pay routine bills from Monday, October 19, 2015 through Friday, October 30, 2015.
19. Authorization to distribute payroll, including overtime and uniform and auto allowances to be paid Friday, October 30, 2015.
20. Approval of bills to include claims registers for Wednesday, October 7, 2015 and Friday, October 9, 2015; Wednesday, October 14, 2015 and Friday, October 16, 2015.
21. Approval of Tax Assessor-Collector's Report of Taxes collected in September 2015 and approval of the order transferring tax collections for the month of September 2015 from unallocated receipts
22. Request approval for \$19,977.56 in Tax Overpayment or Erroneous Payment Refunds due to 5 individual tax accounts for tax payments received per Section 31.11, which have been reviewed by the Auditor's Office and found to be valid.
23. Acceptance of an FLSA summary report regarding non-exempt County personnel that have accrues 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 September 2015.
24. Approval of the Taxable Fringe Benefits Take Home Vehicle Policy that will provide guidance and procedures to determine if there are taxable fringe benefits associated with Bexar County take home vehicles.

Item(s) Brought by Tax Assessor - Collector:

(Albert Uresti)

25. Approval of a request for the waiver of penalty and interest, for the Bexar County taxing jurisdiction, in the amount of \$860.11 on account #12168-000-0130, Les Moynahan, Executive Manager for South Tex National Electrical Assn., tax year(s) 2014 in accordance with Section 33.011 of the Texas Property Tax Code.

Item(s) Brought by Purchasing:

(Mary Salas)

26. Awarding a contract to the lowest and best qualified bid submitted by Winters Construction, Inc. to provide for the purchase of Construction Services for the Real Road LWC at Chupaderas Creek (SA-17) Project in Precinct 4, in the amount of \$943,080.70, as requested by the Bexar County Public Works Department, Flood Control Division; and authorizing the Purchasing Agent to execute and file the appropriate award documents for the record.

27. Awarding the renewal of a contract with Dependable Business Solutions (SMAAVWDIBE), to provide for Temporary Labor Services on a requirements contract basis for a one-year period, beginning upon award and ending September 30, 2016 under the same price, terms and conditions for an estimated annual amount of \$54,876 as requested by the Bexar County Elections Department; authorizing the Purchasing Agent to execute and file the appropriate award documents for the record.
28. Awarding a service contract to the lowest and best qualified bid submitted by McCombs HFC, LTD (WBE) to provide for the purchase of parts and labor services on Bexar County Ford vehicles on a requirements contract basis for a two (2) year period, in the estimated annual amount of \$50,000, and providing for three one-year options to renew as requested by the Bexar County Public Works Department, Fleet Division; and authorizing the Purchasing Agent to execute and file the appropriate award documents for the record.
29. Authorizing the Purchasing Agent to advertise an Invitation for Bids (IFB) to provide for the purchase of automotive and equipment batteries, as requested by the Bexar County Public Works Department.
30. Authorizing the Purchasing Agent to advertise an Invitation for Bids (IFB) to provide for the purchase of computer and bond paper on a requirements contract basis for Bexar County Departments and Offices.
31. Authorizing the Purchasing Agent to sell at auction eighteen (18) surplus vehicles in accordance with attached Vehicle Equipment List, as requested by the Bexar County Public Works Department, and authorizing the Purchasing Agent to execute and file the appropriate award documents for record.
32. Authorizing the approval and execution of an Interlocal Agreement between the South Central Texas Regional Certification Agency (SCTRCA) and Bexar County to provide membership benefits and accessibility to "certified" Small, Minority, Woman, Veteran Owned Businesses to include Historically Underutilized Businesses (HUBs) and Disadvantage Business Enterprises (DBEs) as requested by the Bexar County Purchasing Department for the period beginning November 1, 2015 thru September 30, 2016 in the contract amount of \$46,131.25; and authorizing the Purchasing Agent to execute and file the appropriate award documents for record.
33. Rejecting bid submitted in response to Bexar County Event #379 to provide for the one-time purchase of Construction Services for the South Flores Garage Elevator Improvements project; and authorizing the Purchasing Agent to award a delivery order to SpawGlass Building Services based on a revised scope of work in the amount of \$796,895.40, as requested by the Bexar County Facilities Department; and authorizing the Purchasing Agent to execute and file the appropriate award documents for the record.

Item(s) Brought by Community Resources:

(Nancy Taguacta)

34. Approval of the Professional Service Agreement between Bexar County and SOL Studio Architects, LLC. for the design of a parking lot for the Greater Randolph Area Services Program Parking Lot Improvements Project utilizing PY 2014 Community Development Block Grant (CDBG) funds in the amount of \$17,075.

35. Approval of the First Amendment to the Professional Service Agreement between Bexar County and SOL Studio Architects, LLC. for the ASSIST, Inc. Basketball Court Project utilizing PY 2014 Community Development Block Grant (CDBG) funds in the amount of \$12,990.
36. Approval of a Resolution to certify that Bexar County has made a grant to Christian Senior Services in the amount of \$62,527 for the home-delivered meals program to draw matching funds from the Texas Department of Agriculture.

Item(s) Brought by Public Works:

(Renee Green)

37. Approval of the First Amendment to the Engineering Services Agreement between Bexar County and Halff Associates, Inc. to change the scope of services, at no additional cost to the County, in connection with the Flood Control Capital Project, South Hausman Road, LC5, Precinct Number 3.
38. Approval of Field Alteration Request Number 1 between Bexar County and S.J. Louis Construction of Texas LTD, requesting a change in scope to the contract with an increase in the amount of \$6,229.25 in connection with Flood Control Capital Project, Huebner Creek Enhanced Conveyance NWWC Segment II, LC17, Purchase Order No. 189694, Precinct Number 2.
39. Approval of subdivision plat#140560 within the Extra Territorial Jurisdiction of the City of San Antonio: Sawyer Meadows Unit 5, owner: K.B. Home Lone Star, Inc., located east of Sawyer Valley and Forecast Drive, not within the Edwards Aquifer Recharge Zone. Precinct Number 2.
40. Approval of subdivision plat#150020 within the Extra Territorial Jurisdiction of the City of San Antonio: The Ridge (East) 2 Re-plat, owner: SA Land Holdings, L.P., located northwest of Loop 1604 and NW Military Highway, within the Edwards Aquifer Recharge Zone. Precinct Number 3.
41. Approval of subdivision plat#150183 within the Extra Territorial Jurisdiction of the City of San Antonio: Westwinds Commercial Unit 4A, owner: Laredo S, LTD., located southwest of Wild Pine and Westwood Loop, not within the Edwards Aquifer Recharge Zone. Precinct Number 1.
42. Approval to close, vacate and abandon a portion of a platted 15' wide alley between Earhart Street and Granberry Street within Block 57 of the Robards, Texas (Third Unit) subdivision being a 0.063 acre tract of land, with the east right of way line of Rambie Road located in Northeast Bexar County, as recorded in Volume 2575 and Page 190 according to Plat Records of Bexar County, Texas, to Antonio R. Hernandez, who is the owner of all the abutting property located on both sides of the 15' alley. Precinct 4.

Item(s) Brought by Facilities Management:

(Dan Curry)

43. Request authorization to execute the Order To Relocate Public Sales of Real Property Under Power of Sale, Tax Warrant, Foreclosure of Tax Lien, Execution, and Judicial Foreclosure (the "Order") by the Bexar County Commissioners Court (the "Court"), which requires the relocation of the public sales of real property, real property executions, and judicial foreclosures as permitted under Chapter 51, Texas Property Code, Chapter 34, Texas Tax Code, and Rules 646a and 648, Texas Rules of Civil Procedure (collectively, the "Statutes"), from the one or more rooms situated on the third floor of the structure located at 126 East Nueva Street, San Antonio, TX, 78204 (the "FRB Building") to the area located outside on the west side of the Bexar County Courthouse which is near the intersection of East Nueva Street and the closed portion of South Main Avenue, San Antonio, Texas (the "Courthouse's Westside_Location"), which shall be effective February 1, 2016.
44. Authorizing the County Judge to execute Change Order #2 between Bexar County and Stoddard Construction Mgt. INC in the amount of \$229,529.93 to increase the existing contract amount from \$4,492,365.62 to \$4,721,895.55 for work and Extended General Conditions related to the Bexar Forensic Science Center Renovations Project, located at 7337 Louis Pasteur Drive, San Antonio Texas 78229.

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

(Kyle Coleman)

45. Approval of Joint Resolutions establishing an Inter-Jurisdictional Emergency Management Program and plan for the cities of Castle Hills, Converse and Sandy Oaks and Bexar County.

Items(s) Brought by Resource Management:

(Tina Smith-Dean)

46. Approval of the appointment of RBC Capital Markets (acting as the Senior Manager), Frost Bank, Hutchinson Shockey Erley & Company, Morgan Stanley, and Siebert Brandford Shank & Company as the members of the Underwriting syndicate for the proposed issuance of "Bexar County, Texas Tax-Exempt Venue Project Revenue Refunding Bonds (Combined Venue Tax), Series 2015."
47. Approval of the FY 2015-16 Justice Assistance Grant (JAG) Interlocal Agreement between Bexar County and the City of San Antonio Joint Project (Bexar County will receive \$362,534, City of San Antonio will receive \$241,689) for a total of \$604,223 in United States Department of Justice FY 2015-16 JAG funding.

Item(s) Brought by Economic Development:

(David Marquez)

48. Approval of the appointment of the following individuals to the Workforce Solutions-Alamo Board for the term and category listed:

NAME CATERGORY	TERM	REPLACING
Dr. Burnie L. Roper, Education	Nov. 16, 2015 - Dec. 31, 2017	R. Vela
Mary Batch, Business	Nov. 16, 2015 - Dec. 31, 2016	K. Simmons

INDIVIDUAL AGENDA ITEMS:

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

Item(s) Brought by the Commissioners Court:

(Court)

49. Discussion and appropriate action regarding:

- a. Presentation by Bruce Bugg, Bexar County Performing Arts Center Foundation, on the status of operations of the Tobin Center for the Performing Arts; and
- b. Status of the proposed parking garage for the Tobin Center.

(Estimated Presentation Time: 10 minutes)

(Court/Bruce Bugg)

Item(s) Brought by Public Works:

(Renee Green)

50. Discussion and appropriate action regarding the approval of an Agreement authorizing the purchase of approximately 10 acres of land along Menger Creek west of N. Walters Street, more or less, to be more definitely determined by a land surveyor, said acreage being located in and around New City Block 1249, New City Block 1250, New City Block 1251, New City Block 1252 and New City Block A-39, located in the East part of San Antonio, Bexar County, Texas, from the Union Pacific Railroad Company, formally known as The Galveston, Harrisburg & San Antonio Railway Company for the total consideration of \$250,000 plus applicable costs, upon completion of a feasibility study and due diligence investigation. Precinct Number 4.

(Estimated Presentation Time: 10 minutes)

(Renee Green)

51. Discussion and appropriate action regarding approval of 2 professional service contracts to evaluate County Wide Pedestrian Crossing for potential safety measures.

a. Approval of Engineering Services Agreement between Bexar County and Kimley-Horn and Associates, Inc., for Professional civil engineering design services in an amount not to exceed \$87,498.60 for engineering fees related to the County Wide Pedestrian Crossing Evaluations. County Wide.

b. Approval of Engineering Services Agreement between Bexar County and Dannenbaum Engineering Corporation, for Professional civil engineering design services in an amount not to exceed \$84,000.00 for engineering fees related to the County Wide Pedestrian Crossing Evaluations. County Wide.

(Estimated Presentation Time: 10 minutes)

(Renee Green)

Item(s) Brought by Purchasing:

(Mary Salas)

52. Discussion and appropriate action awarding a contract to the best qualified bid submitted by JJ Stokes Company to provide for the purchase of Construction Services for the Judson Service Center Traffic Management Center Expansion in Precinct 3, in the amount of \$1,075,230 as requested by the Bexar County Public Works Department; and authorizing the Purchasing Agent to execute and file the appropriate award documents for the record.

(Estimated Presentation Time: 5 minutes)

(Mary Salas)

53. Discussion and appropriate action authorizing the Purchasing Agent to reject proposals submitted in response to Event #128, Request for Proposal to provide banking depository services section and requesting authority to re-advertise with revised specifications as requested by the Bexar County Stakeholders.

(Estimated Presentation Time: 5 minutes)

(Mary Salas)

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

(David Smith)

54. Discussion and appropriate action regarding an:

a. Interlocal agreement providing for Bexar County's participation in the Houston St. TIRZ; and a

b. 381 agreement with Weston Urban, LLC providing public infrastructure reimbursement in an amount not to exceed \$3 million.

(Estimated Presentation Time: 10 minutes)

(Manuel Leal)

Item(s) Brought by Economic Development:

(David Marquez)

55. Presentation, discussion and appropriate action regarding an Incentive Application submitted by 1130 Broadway Residential, L.P.
(Estimated Presentation Time: 10 minutes) (David Marquez)
56. Status update regarding the program of renovations and improvements to the AT&T Center.
(Estimated Presentation Time: 10 minutes) (David Marquez)
57. Discussion and appropriate action regarding approval of a Tax Abatement Agreement with Holt Texas, Ltd. for a 10-year, 75% abatement of Bexar County ad valorem taxes on qualified real and personal property.
(Estimated Presentation Time: 10 minutes) (David Marquez)
58. Discussion and appropriate action authorizing the County Judge to sign a Memorandum of Understanding with Tech Bloc for the purpose of creating a technology competition to foster growth in the local technology sector.
(Estimated Presentation Time: 10 minutes) (David Marquez)

Item(s) Brought by Information Technology:

(Catherine Maras)

59. Discussion and appropriate action regarding authorizing the execution of an Agreement with Infor (US), Inc., for the purchase of upgrade and cloud hosting services, maintenance and support for the Infor (Lawson) application implemented in Bexar County not to exceed amount of \$754,077.20 for a one-year period beginning November 1, 2015 and ending October 31, 2016 and providing for two (2) automatic one-year options to renew, as requested by the Bexar County Information Technology (BCIT) Department, and authorizing the Purchasing Agent to execute and file the appropriate award documents for the record.
(Estimated Presentation Time: 10 minutes) (Catherine Maras)

Item(s) Brought by District Attorney:

(Nicholas "Nico" LaHood)

60. Discussion and appropriate action regarding a settlement proposal in the following litigation:
a. Susannah Montez v. Bexar County, Texas
(Estimated Presentation Time: 10 minutes) (Ed Schweningen)

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.

61. § 551.071 Consultation with Attorney for advice regarding:
 - a. Pending or contemplated litigation or settlement offers in the following matters:
 - i. Marita Amador, individually and as representative of the estate of Gilbert Flores and as next friend of minor R.M.F., Vanessa Flores, Marisela Flores, Carmen Flores and Rogelio Flores v. Bexar County, Bexar County Sheriff's Office, Greg Vasquez, Individually and in his Official Capacity, and Robert Sanchez, Individually and in his Official Capacity;
 - ii. Susannah Montez v. Bexar County, Texas
 - iii. Possible Legal Claims against Volkswagen Group of America, Inc., and Audi of America, LLC.
62. § 551.072 Deliberation regarding real property:
 - a. Toyota Field located at 5106 Edwards Dr., San Antonio, Texas
63. § 551.076 Deliberation regarding a security audit or the deployment, or specific occasion for implementation, of security personnel or devices:
 - a. IBM Study – Proposed Global IT Services portfolio and associated infrastructure.

Posted: Friday, October 16, 2015 at 4:30 p.m.