



BEXAR COUNTY, TEXAS COMMISSIONERS COURT

NOTICE OF PUBLIC MEETING

The Bexar County Commissioners Court will meet on **Tuesday, May 3, 2016 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**

**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.

Doc# 23175 Fees: \$0.00
04/29/2016 5:02PM # Pages 8
Filed & Recorded in the Official
Public Records of BEXAR COUNTY
GERARD C. RICKHOFF COUNTY CLERK

COMMISSIONERS COURT CEREMONIAL AGENDA

1. Opening Prayer: Eddie Ortega, Community Resources (Sergio "Chico" Rodriguez)
2. Pledge of Allegiance (Sergio "Chico" Rodriguez)

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
Adrian L. Parra	25	3-1-1991	Sheriff's Office

(Estimated Presentation Time: 5 minutes)

(Court)

- b. Presentation of a Hidalgo on behalf of Commissioners Court to Gilbert Barrera on recognition of his work on Lady Justice Sculpture and fountain.
(Estimated Presentation Time: 5 Minutes) (Court/Nelson Wolff)
- c. Presentation of a proclamation on behalf of Commissioners Court recognizing May 2, 2016 to May 6, 2016 as "Law Week" in Bexar County.
(Estimated Presentation Time: 5 minutes) (Court/Nelson Wolff)
- d. Presentation of a proclamation on behalf of Commissioners Court recognizing the month of May as "National Bike Month" and also recognizing May 6, 2016 to be "Walk and Roll Rally Day" in Bexar County.
(Estimated Presentation Time: 5 minutes) (Court/Nelson Wolff)
- e. Presentation of a proclamation on behalf of Commissioners Court recognizing May 2016 as "Elder Abuse Prevention Month" in Bexar County.
(Estimated Presentation Time: 5 minutes) (Court/Paul Elizondo)
- f. Presentation of a proclamation on behalf of Commissioners Court recognizing May 2016 to be "Older Americans Month" in Bexar County.
(Estimated Presentation Time: 5 minutes) (Court/Paul Elizondo)
- g. Presentation of a proclamation recognizing May 21, 2016 as "1 in 5 Minds Day" and inviting all Bexar County employees to wear green on that day as a means of supporting and increasing mental health awareness.
(Estimated Presentation Time: 5 minutes) (Court/Paul Elizondo)

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

COMMISSIONERS COURT REGULAR AGENDA

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. Grant Agreement between the County of Bexar and Weston Urban, LLC, approved March 22, 2016.
 - b. Order Re-appointing Auditor for Two Year Term and Setting Salary, Special Order No. 68174.
 - c. U.S. District Court – Summons in a Civil Action to County of Bexar, Bexar County Judge, The Honorable Nelson W. Wolff; Re: U.S. Bank National Association, as Trustee for Structured Asset Mortgage Investments II Inc., Prime Mortgage Trust, Certificates, Series 2006-I v. Traci Lewis a/k/a Traci G. Smith and Jeffery Smith, et al.
 - d. Notice of citation directed to Bexar County by serving its registered agent, County Judge Nelson Wolff, Re: National Unity Insurance Company vs. Shane M. Huebner Et Al.
7. Approval of Commissioners Court minutes for April 19, 2016.

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.

Item(s) Brought by the County Manager:

(David Smith)

8. Approval of a request from the County Manager – SMWBE Program for the County Auditor to pay for services for the 15th Annual Small, Minority and Veterans Business Contracting Conference to the Coliseum Advisory Board for a total amount of \$74,053.
9. Approval of the following items related to the Verano TIRZ :
 - a. Third Amendment to the Interlocal Agreement between Bexar County, the City of San Antonio and the Board of Directors for the Verano TIRZ: and the
 - b. Amended and Restated Development Agreement with the City of San Antonio, Bexar County, Verano Land Group, LP and the Board of Directors of the Verano TIRZ.

Items(s) Brought by Sheriff's Office:

(Susan Pamerleau)

10. Authorization and approval for the Sheriff's Office to pay bills from Fiscal Year 2016 invoice(s) in the amount of \$175 for polygraph exam.
11. Ratification of approval for the submission of an on-line grant application to the U.S. Department of Justice FY 2016 State Criminal Alien Assistance Program (SCAAP) for the reporting period of July 1, 2014 through June 30, 2015, with no Bexar County match; authority to have applied the digital signature of the Bexar County Judge on the application including acceptance of funding upon award.

12. Approval of the Facility Use Agreement between the Bexar County Sheriff's Office and East Central Independent School District (ECISD) for facilities located on the Legacy Middle School Campus for Bexar County Sheriff's Office Cadet Fitness Exams.

Item(s) Brought by District Attorney:

(Nicholas "Nico" LaHood)

13. Approval sought for the submission of an electronic grant application to the Office of the Governor, Criminal Justice Division, Homeland Security Grants Division, for the Bexar County Criminal District Attorney's Bexar County Border Prosecution Unit Program in the amount of \$152,340; the term of the grant will be from September 1, 2016 through August 31, 2017; authorization of the County Judge to execute a Resolution to effect this approval; and acceptance of funds upon award. No Bexar County match is required.

Item(s) Brought by County Auditor:

(Susan Yeatts)

14. Authorization and approval for the County Auditor to pay routine bills from Monday, May 2, 2016 through Friday, May 13, 2016.
15. Authorization to distribute payroll, including overtime, uniform allowances, and auto allowances to be paid Friday, May 13, 2016.
16. Approval of bills to include claims registers for Wednesday, April 20 2016, Wednesday, April 27, 2016 and Friday, April 29, 2016.
17. Request approval for \$200,147.04 in Tax Overpayment Refunds due to 43 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.

Item(s) Brought by Purchasing:

(Mary Quinones)

18. Authorizing the removal and sale of one (1) surplus firearm weapon to retired Bexar County Sheriff's Office Captain Steven Long in the amount of \$414, in accordance with attached Surplus Firearm Equipment List, as requested by the Sheriff's Office; and authorizing the Purchasing Agent to update the Bexar County Inventory Records and file the appropriate documents for record.

Item(s) Brought by Community Resources:

(Eddie Ortega)

19. Approval and execution of the Management Agreement between Bexar County and Alamo City Opera d.b.a. Opera Piccola for a one year period beginning October 1, 2015 and ending on September 30, 2016, in the amount of \$25,000 from the General Fund.
20. Approval and execution of the Management Agreement between Bexar County and San Antonio Public Library Foundation for a one year period beginning October 1, 2015 and ending on September 30, 2016, in the amount of \$75,000 from the General Fund.
21. Approval and execution of the Management Agreement between Bexar County and Southwest Outreach for Older People (SWOOP) transportation program for a one year period beginning October 1, 2015 and ending September 30, 2016 in the amount of \$10,000 from the General Fund.

Item(s) Brought by Public Works:

(Renee Green)

22. Approval of the Professional Services Agreement between Bexar County and Geoscience Engineering and Testing, Inc. (SMWBE) in the amount of \$12,725 for Quality Assurance Materials Testing services in connection with the Flood Control Capital Project, Kirkner Road LWC, SA46, Precinct Number 4.
23. Approval of Field Alteration Request Number 2 between Bexar County and J3 Company, LLC (SMWBE), requesting to increase the contract amount by \$130,389.75 in connection with Flood Control Capital Project, Cacias Road LWC, SA45 and associated budget transfer, Precinct Number 4.
24. Approval of the Field Alteration Request Number 1 between Bexar County and EZ Bel Construction, LLC, (SMWBE) requesting to increase the contract amount by \$58,392.22 in connection with Public Works Capital Project, Alamo Ranch Traffic Signals. Precinct Number 1.
25. Approval of the Fifth Amendment to the Engineering Services Agreement between Bexar County and Lockwood, Andrews & Newnam, Inc. for professional civil engineering design services increasing the contract by \$118,378.29. The total amount will not exceed \$1,730,922.52 for the design fee related to the Bulverde Road Phase IV Project, BC 2010-221. Precinct 3.
26. Authorizing the purchase of a Permanent Drainage Easement being 0.942 of an acre tract of land (41,050 square feet), more or less, being out of Lot 29, Block 1 of the Evans Valley Acres Subdivision, recorded in Volume 6400, Pages 185 – 188 of the Deed and Plat Records of Bexar County, Texas, said Lot 29 conveyed to Kimberly A. Beal by instrument recorded in Volume 8207, Pages 745 – 746, of the Official Public Records of Bexar County, Texas, all within CB 4526A of the City of Helotes, Bexar County, Texas from Kimberly A. Beal and George Ortega Gonzales, Owners of Record in the amount of \$106,900, total appraised value, plus applicable closing costs. French Creek Tributary NWWC (LC23) Flood Control Project. Precinct Number 3.
27. Authorizing the purchase of a Permanent Drainage Easement being 0.090 of an acre tract of land (3,933 square feet), more or less, being out of Lot 3, Block 1 of the Evans Valley Acres Subdivision, recorded in Volume 6400, Pages 185 – 188 of the Deed and Plat Records of Bexar County, Texas, said Lot 3 conveyed to Kimberly A. Beal by instrument recorded in Volume 8207, Pages 745 – 746, of the Official Public Records of Bexar County, Texas, all within CB 4526A of the City of Helotes, Bexar County, Texas from Kimberly A. Beal and George Ortega Gonzales, Owners of Record in the amount of \$6,000, total appraised value, plus applicable closing costs. French Creek Tributary NWWC (LC23) Flood Control Project. Precinct Number 3.
28. Approval of subdivision plat#160097 within the Extra Territorial Jurisdiction of the City of San Antonio: New Sulphur Springs, owner: Sun Belt Estates, LLC, located southeast of New Sulphur Springs Road and Cover Road, not within the Edwards Aquifer Recharge Zone. Precinct Number 4.
29. Approval of subdivision plat#150340 within the Extra Territorial Jurisdiction of the City of San Antonio: Westpointe East Unit 33 Phase 1, owner: Vise Oaks I, LTD, located southeast of Wiseman Boulevard and Talley Road, not within the Edwards Aquifer Recharge Zone. Precinct Number 1.
30. Approval of subdivision plat#150131 within the Extra Territorial Jurisdiction of the City of San Antonio: Remuda Ranch South Unit 4, owner: Remuda 530, L.P., located northwest of Culebra Road and Galm Road, not within the Edwards Aquifer Recharge Zone. Precinct Number 2.

31. Approval to establish Traffic Control Devices as Stop Zones, School Zones, and No Parking Zones at specified locations in Precincts 1, 2, 3, and 4.

STOP ZONES TO BE ESTABLISHED:

Precinct Number 1

Luckey Ranch Unit 25 Plat #140409

- The Stop Sign shall be on Turnbow at its intersection with Sabinal. (1 stop)
The Stop Sign shall be on Pawnee at its intersection with Sabinal. (1 stop)
The Stop Sign shall be on Pawnee at its intersection with Turnbow. (1 stop)
The Stop Sign shall be on Stratsburg at its intersection with Sabinal. (1 stop)

Precinct Number 2

Valley Ranch Unit 4A Plat #150301

- The Stop Sign shall be on Rodeo Drive at its intersection with Ranch View. (1 stop)
The Stop Sign shall be on Dunn Landing at its intersection with Rodeo Drive. (1 stop)
The Stop Sign shall be on Rodeo Drive at its intersection with Pardner Ranch. (1 stop)
The Stop Sign shall be on Pardner Ranch at its intersection with Jack Heights. (1 stop)
The Stop Sign shall be on Cottonwood Gap at its intersection with Pardner Ranch. (1 stop)
The Stop Sign shall be on Cottonwood Gap at its intersection with Briscoe Fields. (1 stop)

Precinct Number 4

All Way Stop Locations

- The Stop Signs shall be on Ironmill Creek at its intersection with Morning Grove. This makes this intersection an all-way stop. (2 stops)
The Stop Signs shall be on Crestway Rd at its intersection with Walnut Basin. This makes this intersection an all-way stop. (2 stops)

Item(s) Brought by Economic Development:

(David Marquez)

32. Approval of a Tax Abatement Agreement with SRP Office Holdings I, LLC and AmeriCredit Financial Services, Inc. (dba GM Financial) for a 6-year, 90% abatement of Bexar County ad valorem taxes on qualified real and personal property.

Item(s) Brought by Judicial Services:

(Mike Lozito)

33. Approval of the Third Amendment to the Data Processing Service Agreement with Corrections Software Solutions, L.P., and extending the term for one year February 1, 2016 to January 31, 2017, for case management services for Pretrial and Criminal Specialty Courts, amount not to exceed \$109,512 from general funds.
34. Approval and execution of an Agreement between Bexar County and Haven for Hope to provide services to the individuals being released through the Bexar County Jail Release Program for a period of October 1, 2015 through September 30, 2016 in an amount not to exceed \$333,333.33.

Item(s) Brought by Resource Management:

(Tina Smith-Dean)

35. Approval of a resolution by the Commissioners Court of Bexar County, Texas approving and authorizing publication of a Notice of Intention to issue Certificates of Obligation; and resolving other matters in connection therewith.

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)

36. Discussion and appropriate action regarding the approval of a letter to the Supreme Court of Texas in support of Texas commissioners courts in the case of The Hon. Lonnie Cox v. The Hon. Mark Henry.
(Estimated Presentation Time: 5 minutes) (Nelson Wolff)

Item(s) Brought by Public Works:

(Renee Green)

37. Discussion and appropriate action regarding the approval of:
a. A Memorandum of Agreement between Bexar County and the Texas Commission on Environmental Quality (TCEQ) for Vehicle Idling Limitations; and
b. A Court Order for Vehicle Idling Limitations in Bexar County
(Estimated Presentation Time: 10 minutes) (Renee Green)

Item(s) Brought by the County Manager:

(David Smith)

38. Discussion and appropriate action regarding the Third Amendment to Grant and Development Agreement between Bexar County, City of San Antonio, and Bexar County Performing Arts Center Foundation (BCFACF) for the partial funding by Bexar County, in the amount of \$5,000,000 for the construction of a public parking garage adjacent to the Tobin Center for the Performing Arts.
(Estimated Presentation Time: 10 minutes) (Mike Sculley)
39. Discussion and appropriate action regarding the approval of the Second Amendment to the Cooperative Agreement between Bexar County and the San Antonio River Authority for the Design of the San Pedro Creek Improvements Project authorizing additional design services, in an amount not to exceed \$1,969,315.
(Estimated Presentation Time: 5 minutes) (David Smith)
40. Discussion and appropriate action regarding operations and staffing for the Video Visitation Center.
(Estimated Presentation Time: 10 minutes) (David Smith)
41. Discussion and appropriate action regarding a lease agreement between Bexar County and Bexar Metro 9-1-1 for occupancy space in the Quarry Run Regional Emergency Operations Center.
(Estimated Presentation Time: 10 minutes) (Thomas Guevara)
42. Discussion and appropriate action regarding authorization of and funding for two Deputy Sheriff – Law Enforcement Officer (LE-03) positions for a total cost of \$149,864 as requested by the Sheriff’s Office.
(Estimated Presentation Time: 10 minutes) (Tina Smith-Dean)

Item(s) Brought by Facilities:

(Dan Curry)

43. Discussion and Appropriate action regarding a proposed phased approach for the Adult Detention Center Systems Replacement Project and authorizing the Facilities Management Department to negotiate with Munoz and Co. for design and construction administration related to Phase 1 of the project.
(Estimated Presentation Time: 10 minutes) (Dan Curry)

44. Discussion and Appropriate action related to Phase 2 of the Adult Detention Center Annex Conversion Project:
- a. Authorizing Facilities Management Department to negotiate with 4 firms for design services for the 4 sub-projects; and
 - b. Authorizing the Facilities Management Department to negotiate with the highest ranked Construction Manager at Risk RFP respondent.
- (Estimated Presentation Time: 10 minutes) (Dan Curry)

Item(s) Brought by District Attorney:

(Nicholas "Nico" LaHood)

45. Discussion and appropriate action regarding a professional services agreement with attorney Mark Jordan for representation of Sheriff's Deputy Melissa Busby (a.k.a. Melissa Campbell) in the following litigation: Cloud v. Sheriff's Deputy Melissa Busby and Bexar County.
(Estimated Presentation Time: 5 minutes) (Ed Schweningen)
46. Discussion and appropriate action regarding a settlement proposal in the following pending claims or litigation:
- a. Larry Morrison v. Sheriff's Deputy Franklyn Castano et al; and
 - b. Charlene Lang-Kindel, individually and as representative of the estate of Lawrence Kindel v. Bexar County Sheriff's Office and Sheriff's Deputy Richard Hammock
- (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.

47. § 551.071 Consultation with Attorney for advice regarding:
- a. Pending or contemplated litigation or settlement offers in the following matters:
 - i. Larry Morrison v. Sheriff's Deputy Franklyn Castano et al;
 - ii. Charlene Lang-Kindel, individually and as representative of the estate of Lawrence Kindel v. Bexar County Sheriff's Office and Sheriff's Deputy Richard Hammock;
 - iii. Cloud v. Sheriff's Deputy Melissa Busby and Bexar County;
 - b. Legal issues pertaining to the following matters in which the duty of the attorney for Bexar County under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas Clearly conflicts with the Open Meetings Act:
 - i. Constable Vehicle Use and Overtime policies;

Posted: Friday, April 29, 2016 at 5:00 p.m.