

Orders of Commissioners Court
Bexar County, Texas

TUESDAY, AUGUST 24, 2010

Court met at 11:00 a.m.

A Regular Meeting was held by the Honorable Commissioners Court, in and for said State and County, met at the Courthouse, of thereof, in Bexar County on August 24, 2010.

Present at roll call:

Nelson W. Wolff, County Judge;
Kevin A. Wolff, County Commissioner Precinct No. 3;
Tommy Adkisson, County Commissioner Precinct No. 4;
Susan Yeatts, County Auditor;
Gerard Rickhoff, County Clerk (Rep. by Leonor Salazar);
Susan Reed, District Attorney (Rep. by Ed Schweninger);
David Marquez, Executive Director of Economic Development;
Joe Aceves, Executive Director - Infrastructure Services Department;
Catherine Maras, Chief Information Officer - Information Services Department;
David Smith, Executive Director - Planning & Resource Management Department/Budget Officer;
Aurora Sanchez, Executive Director – Community Resources Department; and
Daniel Garza, Purchasing Agent.

When the following proceedings were had to-wit:

Laura Cole, Government Relations Aide gave the invocation at today's meeting. County Commissioner Kevin A. Wolff led the Pledge of Allegiance.



A letter of condolence is to be sent to the family of Mario G. Obledo expressing to them the sympathy of the court on the loss of their loved one. Mr. Obledo was a graduate of Fox Tech High School. In 1949 he enrolled at the University of Texas at Austin where his studies were interrupted when he joined the Navy as a radar technician during the Korean War. He returned to UT after serving and graduated in 1957 on the GI Bill. He worked as a pharmacist while pursuing his law degree at St. Mary's University, graduating in 1960. He was appointed assistant attorney general of Texas in 1965, serving until 1968. He was a co-founder of Mexican American Legal Defense and Educational Fund, serving as first general counsel and later its president. He also co-founded the Southwest Voter Registration Education Project. He taught at Harvard Law School before former California Gov. Jerry Brown appointed him secretary of health and welfare and he was president of the League of United Latin American Citizens. He received the nation's highest civilian award, the Presidential Medal of Freedom, from President Bill Clinton in 1998 and the Ohtli Award from Mexico in 1985. Mr. Obledo is survived by his wife, Keda Alcalá-Obledo; his children from his first wife, daughters Sylvia Obledo, Sybil Obledo; son Morio Obledo, Jr.; and four granddaughters.

A letter of condolence is to be sent to the family of PFC John Edward Andrade Sr. expressing to them the sympathy of the court on the loss of their loved one. He is survived by his beloved bride, Elizabeth M. Andrade and 8 month old son John Edward Andrade Jr.; parents, Betty and Paul Martinez, and Cesar and Juanita Andrade; siblings, Chris Valadez, Jennifer and Rosanna Andrade, Pablo and Samuel Martinez, Madeline, Alex, and Anthony Andrade; grandmothers, Petra Brockway and Consuelo Andrade; in-laws, Carlos and Maria Ramirez; and numerous other relatives and close friends.

A letter of condolence is to be sent to the family of Alfred "Sonny" O. Delgado expressing to them the sympathy of the court on the loss of their loved one. Mr. Delgado is survived by his son, Ronnie Delgado; sisters, Olivia D. Garcia, and Mary Louise Bernal, and 2 grandchildren and numerous nieces and nephews.

A letter of condolence is to be sent to the family of Charles R. Lowe expressing to them the sympathy of the court on the loss of their loved one. Mr. Lowe is survived by his son, Ken Lowe.

A letter of condolence is to be sent to the family of Susie B. Salazar expressing to them the sympathy of the court on the loss of their loved one. Mrs. Salazar is survived by her sons, Michael Garza and Reynaldo B. Salazar; daughters, Delia C. Vasquez, Lorenza B. Semien, Susie B. Salazar; 5 grandchildren and 4 great-grandchildren and numerous nieces and nephews.

A letter of condolence is to be sent to the family of Elvira L. Saldaña expressing to them the sympathy of the court on the loss of their loved one. Mrs. Saldaña is survived by her seven daughters, Elvira S. Lopez, Severina S. Garcia, Josie S. Espinoza, Dora S. Delgado, Ethel Saldaña, Jo Ann Saldaña and Lucille Mendez; nineteen grandchildren, thirty-three great-grandchildren and one great-great grandchild.

A letter of condolence is to be sent to the family of James Robert Bowen expressing to them the sympathy of the court on the loss of their loved one. Mr. Bowen worked for CPS Energy from September 1973 until he retired June 2008 as Manager of Customer Construction. Mr. Bowen is survived by his wife, Kim Bowen, mother, Adelee Bowen; two sons, Jacob Bowen and James Robert Bowen II and a daughter, Jennifer Longoria; and 6 grandchildren and numerous nieces and nephews.

Commissioners Court will adjourn today's meeting in honor and memory of:

*Mario Obledo
PFC John Edward Andrade Sr.
Alfred "Sonny" O. Delgado
Charles R. Lowe
Susie B. Salazar
Elvira L. Saldaña
James Robert Bowen*



Item – 3 a-d
August 24, 2010
Commissioners Court

The Court presented service pins to the following Bexar County employees recognizing them for 25 years of service to Bexar County: (Record)

<u>Name</u>	<u>Department/Office</u>
Juanita C. Davila	District Clerk's
Carmen E. Inman	Sheriff's Office

The Court presented an Hidalgo to the Honorable Helen Dutmer recognizing her many years of service to Bexar County as an elected official and as private citizen. (Record)

A presentation of a plaque to Commissioners Court and certificates to the following Complete Count Committee for their support of the 2010 Census: Pete Saldana, Charlie Pena and Aurora Sanchez, Bexar County Community Resources. (Record)

A presentation of the results of the 2010 Bexar County campaign for theFund and announcement of the three winning departments for the most funds raised, the greatest increase over last year and the largest percentage of employee participation. (Record)

1st Place Winner - Planning & Resources Department

2nd Place Winner – District Clerk’s Office

3rd Place Winner – Infrastructure Services



Records are to reflect that Commissioners Paul Elizondo and Sergio “Chico” Rodriguez joined the meeting after the Consent Agenda was approved and requested being shown as voting “Aye” for the approval of the Consent Agenda. There being no objections it is so ordered.



Item – 9

August 24, 2010

Commissioners Court

The Court hereby ordered and approved a motion approving a request by Commissioner Sergio “Chico” Rodriguez, to appoint Jim Logan to The Emergency Services District Number 2 to begin upon appointment and expire on December 31, 2010. (Record)

A motion was presented by County Commissioner Tommy Adkisson, duly seconded by County Commissioner Kevin A. Wolff, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 10

August 24, 2010

Sheriff’ s Office

The Court hereby ordered and approved a motion approving an Interlocal Cooperation Agreement between Bexar County and Crystal City and Southwestern Correctional, LLC doing business as LaSalle Southwest Corrections to house inmates from Bexar County at a per diem rate of \$45 per inmate through December 31, 2010, with the option of annual renewals for three (3) additional one (1) year periods commencing January 1, 2011 though December 31, 2013. (Record)

A motion was presented by County Commissioner Tommy Adkisson, duly seconded by County Commissioner Kevin A. Wolff, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 11

August 24, 2010

Tax Assessor-Collector

The Court hereby ordered and approved a motion accepting the 2010 Effective and Rollback Tax Rates for Bexar County as calculated by the Office of the Bexar County Tax Assessor per Section 26.04 of the Texas Property Tax Code. (Record)

A motion was presented by County Commissioner Tommy Adkisson, duly seconded by County Commissioner Kevin A. Wolff, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Wolff, Adkisson, and Judge Wolff voting "Aye".



Item – 12
August 24, 2010
Tax Assessor-Collector

The Court hereby ordered and approved a motion approving a request for the waiver of penalty and interest, for the Bexar County taxing jurisdiction, in the amount of \$158.22 on account #04711-426-0080, Caroline Garcia, tax year(s) 2008 in accordance with Section 33.011 of the Texas Property Tax Code. (Record)

A motion was presented by County Commissioner Tommy Adkisson, duly seconded by County Commissioner Kevin A. Wolff, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Wolff, Adkisson, and Judge Wolff voting "Aye".



Item – 13
August 24, 2010
Tax Assessor-Collector

The Court hereby ordered and approved a motion approving a request for the waiver of penalty and interest, for the Bexar County taxing jurisdiction, in the amount of \$123.85 on account #04711-426-0080, Caroline Garcia, tax year(s) 2009 in accordance with Section 33.011 of the Texas Property Tax Code. (Record)

A motion was presented by County Commissioner Tommy Adkisson, duly seconded by County Commissioner Kevin A. Wolff, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Wolff, Adkisson, and Judge Wolff voting "Aye".



Item – 14
August 24, 2010
Tax Assessor-Collector

The Court hereby ordered and approved a motion approving a request for the waiver of penalty and interest, for the Bexar County taxing jurisdiction, in the amount of \$871.01 on account #90904-070-2540, William J. Dearien for Ingersoll-Rand Co., tax year(s) 2009 in accordance with Section 33.011 of the Texas Property Tax Code. (Record)

A motion was presented by County Commissioner Tommy Adkisson, duly seconded by County Commissioner Kevin A. Wolff, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Wolff, Adkisson, and Judge Wolff voting "Aye".



Item – 15
August 24, 2010
Tax Assessor-Collector

The Court hereby ordered and approved a motion approving a request for the waiver of penalty and interest, for the Bexar County taxing jurisdiction, in the amount of \$569.86 on account #00000-113-5563, Shirley A. Smith for County Wide Service Co., tax year(s) 2009 in accordance with Section 33.011 of the Texas Property Tax Code. (Record)

A motion was presented by County Commissioner Tommy Adkisson, duly seconded by County

Commissioner Kevin A. Wolff, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 16
August 24, 2010
Tax Assessor-Collector

The Court hereby ordered and approved a motion approving a request for the waiver of penalty and interest, for the Bexar County taxing jurisdiction, in the amount of \$274.34 on account #12775-008-0011, Tom Stephens for Columbia Realty Limited, tax year(s) 2009 in accordance with Section 33.011 of the Texas Property Tax Code. (Record)

A motion was presented by County Commissioner Tommy Adkisson, duly seconded by County Commissioner Kevin A. Wolff, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 17
August 24, 2010
Tax Assessor-Collector

The Court hereby ordered and approved a motion approving a request for the waiver of penalty and interest, for the Bexar County taxing jurisdiction, in the amount of \$219.88 on account #06460-011-0070, John D. Carte, tax year(s) 2009 in accordance with Section 33.011 of the Texas Property Tax Code. (Record)

A motion was presented by County Commissioner Tommy Adkisson, duly seconded by County Commissioner Kevin A. Wolff, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 18
August 24, 2010
Tax Assessor-Collector

The Court hereby ordered and approved a motion approving a request for the waiver of penalty and interest, for the Bexar County taxing jurisdiction, in the amount of \$151.55 on account #00579-100-6010, Luis R. Ramos, tax year(s) 2009 in accordance with Section 33.011 of the Texas Property Tax Code. (Record)

A motion was presented by County Commissioner Tommy Adkisson, duly seconded by County Commissioner Kevin A. Wolff, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 19
August 24, 2010
Tax Assessor-Collector

The Court hereby ordered and approved a motion approving a request for the waiver of penalty and interest, for the Bexar County taxing jurisdiction, in the amount of \$59.25 on account #15855-004-0110, Roland Martinez, tax year(s) 2009 in accordance with Section 33.011 of the Texas Property Tax Code. (Record)

A motion was presented by County Commissioner Tommy Adkisson, duly seconded by County Commissioner Kevin A. Wolff, which motion was voted on as follows: Commissioners Rodriguez, Elizondo,

Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 20
August 24, 2010
Tax Assessor-Collector

The Court hereby ordered and approved a motion approving a request for the waiver of penalty and interest, for the Bexar County taxing jurisdiction, in the amount of \$2.36 on account #00000-111-3657, Manuel Reyes Campos, tax year(s) 2009 in accordance with Section 33.011 of the Texas Property Tax Code. (Record)

A motion was presented by County Commissioner Tommy Adkisson, duly seconded by County Commissioner Kevin A. Wolff, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 21
August 24, 2010
Civil District Court

The Court hereby ordered and approved a motion approving a professional services contract between Bexar County and Family Violence Prevention Services, Inc., in the amount of \$112,138, to be paid solely with funds donated from the Hidalgo Foundation to Bexar County, for the *Celebrating Families!* Curriculum, program and services for participants referred from the Bexar County Family Drug Treatment Court Program from May 18, 2010 through May 17, 2011. (Record)

A motion was presented by County Commissioner Tommy Adkisson, duly seconded by County Commissioner Kevin A. Wolff, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 22
August 24, 2010
Law Library

The Court hereby ordered and approved a motion approving payments to suppliers of books/services and online research for the Law Library, District and County Court Judges, District Attorney’ s Office, Jail Library and other miscellaneous court offices for a total amount of \$106,472.16, including the appropriate budgetary transfer. (Record)

A motion was presented by County Commissioner Tommy Adkisson, duly seconded by County Commissioner Kevin A. Wolff, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 23
August 24, 2010

County Auditor

The Court hereby ordered and approved a motion approving the certification of additional revenue of \$7,750 from registration fees collected from the 2010 International Police Work Dog Association (IPWDA) Workshop and Certification Event, available for the Bexar County Sheriff's Office General Fund Budget. This certification is based on Local Government Code 111.0107 and 111.0108. (Record)

A motion was presented by County Commissioner Tommy Adkisson, duly seconded by County Commissioner Kevin A. Wolff, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Wolff, Adkisson, and Judge Wolff voting "Aye".



Item – 24
August 24, 2010
County Auditor

The Court hereby ordered and approved a motion approving the disbursement of payroll, including overtime, and auto allowances to be paid Tuesday, August 31, 2010. (Record)

A motion was presented by County Commissioner Tommy Adkisson, duly seconded by County Commissioner Kevin A. Wolff, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Wolff, Adkisson, and Judge Wolff voting "Aye".



Item – 25
August 24, 2010
County Auditor

The Court hereby ordered and approved a motion authorizing the County Auditor to pay bills through Friday, September 3, 2010. The list of bills paid will be presented to the Court on September 6, 2010. (Record)

A motion was presented by County Commissioner Tommy Adkisson, duly seconded by County Commissioner Kevin A. Wolff, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Wolff, Adkisson, and Judge Wolff voting "Aye".



Item – 26
August 24, 2010
County Auditor

The Court hereby ordered and approved a motion approving accounts and authorizing checks be drawn totaling: (Record)

\$ 4,503,115.51 (Checks printed August 11, 2010)
\$13,217,302.88 (Checks printed August 13, 2010)
\$ 5,024,425.05 (Checks printed August 18, 2010)
\$ 3,239,728.87 (Checks printed August 20, 2010)

A motion was presented by County Commissioner Tommy Adkisson, duly seconded by County Commissioner Kevin A. Wolff, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Wolff, Adkisson, and Judge Wolff voting "Aye".



Item – 27
August 24, 2010
County Auditor

The Court hereby ordered and approved a motion approving the payment of cellular telephone usage over \$75 for the period of June through July 2010 for AT&T Mobility and Sprint together with Nextel. (Record)

A motion was presented by County Commissioner Tommy Adkisson, duly seconded by County Commissioner Kevin A. Wolff, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 28
August 24, 2010
County Auditor

The Court hereby ordered and approved a motion accepting the FLSA summary report regarding non-exempt County personnel that have accrued FLSA hours in excess of 200 but less than 240, and law enforcement personnel FLSA hours in excess of 440 but less than 480 as of August 16, 2010; and authorization to pay those employees who have accumulated hours in excess of the FLSA maximum level. (Record)

A motion was presented by County Commissioner Tommy Adkisson, duly seconded by County Commissioner Kevin A. Wolff, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 29
August 24, 2010
Purchasing Department

The Court hereby ordered and approved a motion awarding a contract to the lowest and best bid submitted by Shannon-Monk, Inc. (SMWBE) to provide for the purchase of construction services for the Borgfeld Drive Phase I Right-of-Way Clearing Project, Precinct 3 in the amount of \$225,874.00 as requested by the Bexar County Infrastructure Services Department; and authorizing the Purchasing Agent to execute and file the appropriate award documents for record. (Record)

A motion was presented by County Commissioner Tommy Adkisson, duly seconded by County Commissioner Kevin A. Wolff, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 30
August 24, 2010
Purchasing Department

The Court hereby ordered and approved a motion awarding an amendment to the contract awarded to Krueger International in the amount of \$98,289.35, a decrease of \$14,488.12; and Jones & Cook Stationers in the amount of \$378,601.92, an increase of \$3,398.18, to provide for the purchase of miscellaneous furniture for the Justice Center Expansion as requested by the Bexar County Infrastructure Services Department in the combined amount of \$476,891.27; and authorizing the Purchasing Agent to execute change order and file the appropriate documents for record. (Record-change order to be filed later)

A motion was presented by County Commissioner Tommy Adkisson, duly seconded by County Commissioner Kevin A. Wolff, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 31
August 24, 2010
Purchasing Department

The Court hereby ordered and approved a motion approving the documentation of materials removed as a result of the construction process by Aramark as part of the kitchen renovation project at the Juvenile Probation Department’s Juvenile Detention Center and the Cyndi Taylor Krier facility; and authorizing the Purchasing Agent to file the appropriate documents for the record. (Record)

A motion was presented by County Commissioner Tommy Adkisson, duly seconded by County Commissioner Kevin A. Wolff, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 32
August 24, 2010
Purchasing Department

The Court hereby ordered and approved a motion authorizing the Purchasing Agent to update the Bexar County Inventory Records and file the appropriate documents to remove 42 weapons from the active inventory as requested by the Bexar County Sheriff’s Office. (Record)

A motion was presented by County Commissioner Tommy Adkisson, duly seconded by County Commissioner Kevin A. Wolff, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 33
August 24, 2010
Purchasing Department

The Court hereby ordered and approved a motion authorizing the removal and sale of one each surplus firearm weapon to Deputy Alfredo Olivares, Bexar County Sheriff’s Office in the amount of \$414.00 in accordance with attached Surplus Firearm Equipment List as requested by the Bexar County Sheriff’s Office; authorizing the Purchasing Agent to update the Bexar County Inventory Records and file the appropriate documents for the record. (Record)

A motion was presented by County Commissioner Tommy Adkisson, duly seconded by County Commissioner Kevin A. Wolff, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 34
August 24, 2010
Purchasing Department

The Court hereby ordered and approved a motion authorizing the Purchasing Agent to advertise a Request for Proposal to provide for the establishment of a contract to provide Auction Services for Surplus/Salvage Automotive Vehicles and Equipment on a requirements contract basis. (Record)

A motion was presented by County Commissioner Tommy Adkisson, duly seconded by County Commissioner Kevin A. Wolff, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 35
August 24, 2010
Community Resources

The Court hereby ordered and approved a motion approving the professional services agreement with Collaborative Research LLC in the amount of \$7,000 to conduct program evaluation and staff training for Ryan White staff. (Record)

A motion was presented by County Commissioner Tommy Adkisson, duly seconded by County Commissioner Kevin A. Wolff, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 36
August 24, 2010
Community Resources

The Court hereby ordered and approved a motion approving the professional services agreement with Collaborative Research LLC in the amount of \$36,000 to conduct program monitoring of Ryan White Service Providers. (Record)

A motion was presented by County Commissioner Tommy Adkisson, duly seconded by County Commissioner Kevin A. Wolff, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 37
August 24, 2010
Community Resources

The Court hereby ordered and approved a motion approving a contract totaling \$18,500 for Bernard Warren (Consultant) related to preparation of Bexar County’s Ryan White Part A application for funding. (Record)

A motion was presented by County Commissioner Tommy Adkisson, duly seconded by County Commissioner Kevin A. Wolff, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 38

August 24, 2010
Economic Development

The Court hereby ordered and approved a motion approving a request from Commissioner Kevin A. Wolff, Precinct 3, to appoint Ruben Villa to replace Louis J. Fox on the Cibolo Canyons Special Improvement District board of directors serving a term that begins upon appointment and expires on June 1, 2012. (Record)

A motion was presented by County Commissioner Tommy Adkisson, duly seconded by County Commissioner Kevin A. Wolff, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 39
August 24, 2010
Infrastructure Services

The Court hereby ordered and approved a motion authorizing the County Judge to execute a Professional Services Agreement between Bexar County and CFZ GROUP, LLC, in the amount of \$6,500.00 for the design and construction activities for construction of a sidewalk in Bullis County Park and approving the appropriate budget amendment to the scope of project. (Record)

A motion was presented by County Commissioner Tommy Adkisson, duly seconded by County Commissioner Kevin A. Wolff, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 40
August 24, 2010
Infrastructure Services

The Court hereby ordered and approved a motion approving the Engineering Services Agreement between Bexar County and Camp Dresser & McKee Inc. in the amount of \$995,536.00 for professional engineering services in connection with the Sixmile Creek Drainage Improvements project (Flood Control Division SA-43), BC 2010-200. Precincts Number 1. (Record)

A motion was presented by County Commissioner Tommy Adkisson, duly seconded by County Commissioner Kevin A. Wolff, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 41
August 24, 2010
Infrastructure Services

The Court hereby ordered and approved a motion authorizing the County Judge to execute a Professional Services Agreement between Bexar County and Terracon Consultants, Inc., in the amount of \$112,180.00 for construction materials testing and inspection services in connection with the new parking garage on Comal Street. (Record)

A motion was presented by County Commissioner Tommy Adkisson, duly seconded by County Commissioner Kevin A. Wolff, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Wolff, Adkisson, and Judge Wolff voting "Aye".

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Item – 42

August 24, 2010

Infrastructure Services

The Court hereby ordered and approved a motion authorizing the County Judge to execute Amendment Number 3 in the amount of \$16,000.00 to the Architectural Services Agreement between Bexar County and Kell Muñoz Architects in connection with the Comal Street Parking Garage Project. (Record)

A motion was presented by County Commissioner Tommy Adkisson, duly seconded by County Commissioner Kevin A. Wolff, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Wolff, Adkisson, and Judge Wolff voting "Aye".

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Item – 43

August 24, 2010

Infrastructure Services

The Court hereby ordered and approved a motion approving the Ancillary Agreement between Bexar County and SA-BB Services, Inc. (SA-BB) in the amount of \$15,600.00 to be paid by SA-BB for the adjustments of manholes in conjunction with the Bulverde Road Phase I project. Precinct Number 3 (Record)

A motion was presented by County Commissioner Tommy Adkisson, duly seconded by County Commissioner Kevin A. Wolff, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Wolff, Adkisson, and Judge Wolff voting "Aye".

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Item – 44

August 24, 2010

Infrastructure Services

The Court hereby ordered and approved a motion authorizing the County Judge to execute Field Alteration Number 16 to the contract between Bexar County and Capital Excavation, in connection with the Blanco Road (FM 2696) Reconstruction Project, BC 2008-173 increasing the contract amount by \$98,734.31. Precinct Number 3. (Record)

A motion was presented by County Commissioner Tommy Adkisson, duly seconded by County Commissioner Kevin A. Wolff, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Wolff, Adkisson, and Judge Wolff voting "Aye".

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Item – 45

August 24, 2010

Infrastructure Services

The Court hereby ordered and approved a motion authorizing the County Judge to sign a Notice of Non-Acceptance of Channel Easement declining acceptance of the Channel Easement conveyed from En Seguido, LTD to Bexar County, as recorded in Volume 14552 Page 1672, being 1,298 acres located in Zink Subdivision, Unit 1 as recorded in Volume 6500, Page 82. Precinct Number 4. (Record-notice to be filed in the Bexar County Clerk's Deed Records Department)

A motion was presented by County Commissioner Tommy Adkisson, duly seconded by County Commissioner Kevin A. Wolff, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Wolff, Adkisson, and Judge Wolff voting "Aye".



Item – 46
August 24, 2010
Infrastructure Services

The Court hereby ordered and approved a motion authorizing the County Judge to execute a Release of Lien for the property located in Tract 16, Duke Road, account #04172-000-0351; owners: Benjamin M. and Yolanda G. Rodriguez. (Record-release of lien to be filed in the Deed Records Department)

A motion was presented by County Commissioner Tommy Adkisson, duly seconded by County Commissioner Kevin A. Wolff, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Wolff, Adkisson, and Judge Wolff voting "Aye".



Item – 47
August 24, 2010
Infrastructure Services

The Court hereby ordered and approved a motion authorizing the County Judge to execute a Release of Lien for the property located in Tract 2, CB 4467B, Halpenny Subdivision, account #04467-000-0018; owner Loretta Lang. (Record-release of lien to be filed in the Deed Records Department)

A motion was presented by County Commissioner Tommy Adkisson, duly seconded by County Commissioner Kevin A. Wolff, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Wolff, Adkisson, and Judge Wolff voting "Aye".



Item – 48
August 24, 2010
Infrastructure Services/Flood Control Division

The Court hereby ordered and approved a motion authorizing the purchase of property, Lot 56, Leon Valley Ranches, Second Filing, known as 6300 El Verde in the City of Leon Valley, Bexar County, Texas, according to the plat recorded in Volume 3025, Page 320, Deed and Plat Records of Bexar County, Texas, from George W. Daugherty and Alpha Mae Daugherty, Trustees of the Daugherty Family Trust, Owner, for a total consideration of \$114,000.00, Flood Control Capital Project, Huebner Creek Enhanced Convey NWWC, LC17. Precinct Number 2. (Record)

A motion was presented by County Commissioner Tommy Adkisson, duly seconded by County Commissioner Kevin A. Wolff, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Wolff, Adkisson, and Judge Wolff voting "Aye".



Item – 49
August 24, 2010
Infrastructure Services/Flood Control Division

The Court hereby ordered and approved a motion authorizing the purchase of a 10-foot wide strip of land (0.069 of

one acre) in New City Block 17201, being out of Lot 1, Block 1, De Los Santos Subdivision, recorded in Volume 9500, Page 43, Deed and Plat Records, Bexar County, Texas, also being out of the James McKay Survey Number 48, Abstract Number 522, known as 9758 W. Bobbie Allen in the City of San Antonio, Bexar County, Texas, from Rodolfo De Los Santos and Teresa G. De Los Santos, Owner, for a total consideration of \$15,346.00, Flood Control Capital Project, Shane Road Low Water Crossing #2301, SA4. Precinct Number 1. (Record)

A motion was presented by County Commissioner Tommy Adkisson, duly seconded by County Commissioner Kevin A. Wolff, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 50

August 24, 2010

Infrastructure Services/Flood Control Division

The Court hereby ordered and approved a motion authorizing the purchase from Via Metropolitan Transit of Tracts of land for a temporary easement being a 0.179 acre tract of land out of the Elizabeth Plunkett Survey Number 72, Abstract 573, County Block 4433, and being a portion of Lot 7, Block 1, New City Block 16931 Via-Ingram Subdivision recorded in Volume 9535, Page 6 of the Deed and Plat records of Bexar County, Texas, and being out of 1.859 acre tract granted to VIA Metropolitan Transit as described in Volume 5932, Page 1789 Official Public Record of Real Property, Bexar County, Texas, known as 3215 Northwestern Drive in the City of San Antonio, Bexar County, Texas, for a total consideration of \$8,793.00, Flood Control Capital Project, Ingram Road Low Water Crossing #58, LC8, Precinct Number 2. (Record)

A motion was presented by County Commissioner Tommy Adkisson, duly seconded by County Commissioner Kevin A. Wolff, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 51

August 24, 2010

Infrastructure Services

The Court hereby ordered and approved a motion approving a request from the Infrastructure Services Department authorizing the County Auditor to pay \$5,149.06 in various Invoices for miscellaneous supplies and services. (Record)

A motion was presented by County Commissioner Tommy Adkisson, duly seconded by County Commissioner Kevin A. Wolff, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 52

August 24, 2010

Infrastructure Services/Public Works Division

The Court hereby ordered and approved a motion approving the following Subdivision Plats located within the ETJ of the City of San Antonio, subject to all County Regulations: (Record)

A “Planned Unit Development” replat establishing Dove Creek Replat P.U.D., owner: Dove Creel Condominiums, Ltd., located northwest of Loop 1604 and Dove Canyon (private), not within the Edwards Aquifer Recharge Zone.

Precinct Number 1 (Record)

A motion was presented by County Commissioner Tommy Adkisson, duly seconded by County Commissioner Kevin A. Wolff, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 53

August 24, 2010

Infrastructure Services/Public Works Division

The Court hereby ordered and approved a motion approving a variance from Unified Development Code 35-506(d)(9) relating to substandard existing streets for the Dove Creek Replat Subdivision. (Record)

A motion was presented by County Commissioner Tommy Adkisson, duly seconded by County Commissioner Kevin A. Wolff, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 54

August 24, 2010

Planning and Resource Management

The Court hereby ordered and approved a motion accepting the Investment Quarterly Report for the 3rd quarter of FY 2009-10 in accordance with Section 2256.023 (a) of the Texas Public Funds Investment Act. (Record)

A motion was presented by County Commissioner Tommy Adkisson, duly seconded by County Commissioner Kevin A. Wolff, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 55

August 24, 2010

Planning and Resource Management

The Court hereby ordered and approved a motion approving the following budgetary transfer(s): (Record)

Office/Department	BT#	Amount	From	To
Sheriff's Office	BT10-187	\$83,203	Undesignated Funds (9400)	Office Supplies (6020) - \$14,965; Maintenance Tools & Supplies (6040) - \$43,133; Clothing,

				Bedding & Utensils (7220) - \$25,105
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A motion was presented by County Commissioner Tommy Adkisson, duly seconded by County Commissioner Kevin A. Wolff, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 6
August 24, 2010
Commissioners Court

Filing for record the following legal and administrative documents and directing the Criminal District Attorney’s Office to take action, if necessary: (Record)

- a. First amendment to Construction Manager at risk agreement with Bartlett Cocke, L.P., (approved May 4, 2010)
- b. Second amendment to Construction Manager at risk agreement with Bartlett Cocke, L.P.,(approved May 4, 2010)
- c. Second amendment to Forensic Science and Medical Examiner’s Services agreement with City of San Antonio, (approved June 29, 2010).
- d. Notice of Appeal of Order of Dismissal of Deputy Charles Flores submitted by Attorney Robert P. Leonard, II, CLEAT.
- e. Letter to Judge Nelson W. Wolff from Sean B. McNelis, McNeilis + Associates, Re: Attorney General of Texas Greg Abbott’s Ruling Compelling the Production of the document sought by SA Project 1, Inc./Perez Project Consulting, Inc. through its Texas Open Records Act Request dated May 5, 2010.
- f. U. S. District Court – Summons in a Civil Action, Re: Alex Moore, on behalf of himself and all similarly situated employees, v. Bexar County, a Political Subdivision of the State of Texas.
- g. Notice of Citation directed to Nelson Wolff - Michael Idrogo vs. Sarah Garrahan et al.



Item – 8
August 24, 2010
Commissioners Court

The Court hereby ordered and approved a motion approving the Commissioners Court minutes for Tuesday, August 10 2010 and Tuesday, August 17, 2010 as printed. (Record)

A motion was presented by County Commissioner Tommy Adkisson, duly seconded by County Commissioner Kevin A. Wolff, which motion was voted on as follows: Commissioners Rodriguez, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 7
August 24, 2010
Commissioners Court

Communications, including citizens who signed the registration/sign-in form to speak: (Record)

Julio Montenegro – Ventura Heights Community
Daniel Strauser – Sundance Trails

Adam Martin – Sundance Trails
Janet Ahmad – Home Owners



County Commissioner Paul Elizondo joined the meeting at this time and requested he be shown as voting “Aye” on the approval of the Consent Agenda.



Item – 4a
August 24, 2010
Commissioners Court

Public Hearing was called to order at 11:40 a.m. to accept public comment on setting the 2010 tax rate for the Bexar County Hospital District d/b/a University Health System. (Record)

There being no citizens to be heard Public Hearing closed at 11:40 a.m.



Item – 57
August 24, 2010
Planning and Resource Management

There being no objections item 57 (Discussion and appropriate action regarding renewal of an Agreement for Collection of Fines and Fees with the law firms of Linebarger Goggan Blair & Sampson, LLP and Escamilla & Poneck, Inc.) will be deferred until the next Court meeting.



Item – 58
August 24, 2010
Planning and Resource Management

The Court hereby ordered and approved a motion approving the budget transfer to the Sheriff’s Office Law Enforcement and Detention regular salaries line item in the amount of \$3,923,000 to fund the Voluntary Retirement Incentive Program. (Record)

Sheriff’s Office	BT10-188	\$3,923,000	Sheriff’s Step Plan (9209) - \$666,597; Con. Revenue	Salaries, Regular – (0110) \$3,923,000
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			Stabilization – \$432,349 Con. Expenditure Stabilization (9416) - \$1,250,000 Con Inmate Housing (9419) - \$1,174,054; Con. Voluntary Retirement (9422) - \$400,000	
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A motion was presented by County Commissioner Paul Elizondo, duly seconded by County Commissioner Kevin A. Wolff, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Wolff, Adkisson, and Judge Wolff voting “Aye”.



County Commissioner Sergio “Chico” Rodriguez joined the meeting at this time and requested to be shown as voting “Aye” on the Consent Agenda and item - 8.



Item – 59
August 24, 2010
Infrastructure Services

The Court hereby order and approved a motion directing staff to move forward with previously approved existing projects. (Record)

A motion was presented by County Commissioner Paul Elizondo, duly seconded by County Commissioner Tommy Adkisson, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Adkisson, and Judge Wolff voting “Aye”.

The Court hereby ordered and approved a motion approving a status report on the recommended capital improvement projects and to proceed with twenty-two regional projects for Phase II – Year 4 of the 2007-2017 Bexar County 10-Year Flood Control Program. Precincts Number 1, 2, 3, and 4 (Record)

A motion was presented by County Commissioner Paul Elizondo, duly seconded by County Commissioner Tommy Adkisson, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Adkisson, and Judge Wolff voting “Aye”.

County Commissioner Kevin A. Wolff left the meeting at this time.



Commissioners Court recessed at this time. 12:20 p.m.



Commissioners Court reconvened at this time. 1:45 p.m.
 County Commissioners Sergio “Chico” Rodriguez and Tommy Adkisson not present at this time.



Item – 56

August 24, 2010

Community Venue Programs

The Court hereby ordered and approved a motion approving the Grant and Development Agreement and Operating Agreement between Bexar County and Northside Independent School District (“NISD”) for the construction and operation of a swim complex to benefit the youth and young adults of Bexar County, which is a Bexar County amateur sports venue project, with Bexar County contributing \$7,000,000.00 of venue funds of the estimated \$14,000,000.00 budget. (Record)

A motion was presented by County Commissioner Tommy Adkisson, duly seconded by County Commissioner Paul Elizondo, which motion was voted on as follows: Commissioners Elizondo, Wolff, Adkisson, and Judge Wolff voting “Aye”.

♠♠

County Commissioner Tommy Adkisson joined the meeting at this time.

♠♠

Item – 4b

August 24, 2010

Community Resources

The Court hereby ordered and approved a motion approving the Housing Authority of Bexar County’s 5-Year Plan (2010-2014) and 2010 Annual Plan Certification of Consistency with Bexar County’s Consolidated Plan. (Record)

A motion was presented by County Commissioner Paul Elizondo, duly seconded by County Commissioner Sergio “Chico” Rodriguez, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Wolff, Adkisson, and Judge Wolff voting “Aye”.

♠♠

County Commissioner Sergio “Chico” Rodriguez joined the meeting at this time.
County Commissioner Tommy Adkisson left the meeting at this time.

♠♠

Item – 60

August 24, 2010

Infrastructure Services

The Court hereby ordered and approved a motion adopting an Order restricting outdoor burning, effective on August 24, 2010 for a period of 90 days unless earlier terminated by this Court. (Record)

A motion was presented by County Commissioner Sergio “Chico” Rodriguez, duly seconded by County Commissioner Kevin A. Wolff, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Wolff, Adkisson, and Judge Wolff voting “Aye”.

♠♠

Item – 7

August 24, 2010
Commissioners Court

Communications, including citizens who signed the registration/sign-in form to speak: (Record)

Faris Hodge Jr.



County Commissioner Tommy Adkisson returned to the meeting at this time and requested to be shown as voting “Aye” on item 60 and 4b, without objection.



Commissioners Court met in Executive Session at this time pursuant to Chapter 551, Texas Government Code and the following items were discussed:

551.071 –

Consultation with Attorney for advice regarding:

- a. Pending or contemplated litigation or settlement offers in the following matters:
 - i. Guy Chipman, Jr. vs. Sheriff’s Office;
 - v. Condemnation involving Laddie Place RSWF Phase III/S&S Shopping Center LTD (Spigel Properties); and
 - vi. Crvi Txazco Portfolio, LLC and Crvi H-Texas, LLC v. Continental Homes of Texas, L.P. 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. Agreement with City of San Antonio regarding Community Infrastructure and Economic Development Fund (CIED); and
 - iii. Proposed agreement with San Antonio Economic Development Foundation.

551.072 –

Deliberation regarding real property:

- a. 1103 S. Frio St;
- d. Property acquisition for the Flood Control Project relating to Valley View Subdivision and Laddie Place Subdivision both being located in north Bexar County.

2:35 P.M.



Commissioners Court returned to Open Session at this time and the following action was taken.

3:30 P.M.



Item – 61
August 24, 2010
Infrastructure Services

The Court hereby ordered and approved a motion directing staff to start the due diligence process for possible purchase of the property located at 1103 South Frio St, currently known as the St. Vincent De Paul warehouse facility, described as being Lots 1, 2, 3, 7, 8, 9, 13 and 14, Block 2, NCB 878. Precinct 2. (Record)

A motion was presented by County Commissioner Paul Elizondo, duly seconded by County Commissioner Kevin A. Wolff, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 62
August 24, 2010
District Attorney

The Court hereby ordered and approved a motion approving recommendations by the District Attorney’s Office to accept settlement proposal in the amount of \$10,523.20 in the following legal claim: Guy Chipman, Jr. vs. Sheriff’s Office.

A motion was presented by County Commissioner Paul Elizondo, duly seconded by County Commissioner Tommy Adkisson, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Wolff, Adkisson, and Judge Wolff voting “Aye”.



A motion for adjournment was presented by County Commissioner Paul Elizondo, duly seconded by County Commissioner Sergio “Chico” Rodriguez, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Wolff, Adkisson and Judge Wolff voting "Aye." It is ordered by the Court that Commissioners Court of Bexar County, Texas be, and hereby stands, adjourned, *In honor and memory of Mario Obledo, PFC John Edward Andrade Sr., Alfred Delgado, Charles R. Lowe, Susie B. Salazar, Elvira L. Saldana*, until Tuesday, August 31, 2010 at 10:30 a.m.

3:35 P.M.

NELSON W. WOLFF, COUNTY JUDGE
BEXAR COUNTY, TEXAS

ATTEST:

GERARD RICKHOFF, COUNTY CLERK
BEXAR COUNTY, TEXAS