

Orders of Commissioners Court
Bexar County, Texas

TUESDAY, SEPTEMBER 14, 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 September 14, 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:

Ruby A. Webb, Chief of Staff to Judge Nelson W. Wolff gave the invocation at today's meeting. County Judge Nelson W. Wolff led the Pledge of Allegiance.

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



Item – 5a

September 14, 2010

Planning and Resource Management

A Public Hearing was called to order at 11:00 by County Judge Nelson W. Wolff to accept public comment regarding the Bexar County FY 2010-11 Proposed Operating and Capital Budget for Fiscal Year 2010-11.

There being no citizens to be heard Public Hearing closed at 11:00 a.m.



County Commissioner Paul Elizondo joined the meeting at this time.



Item – 3 (a-b)

September 14, 2010

Commissioners Court

The Court presented a Proclamation recognizing and proclaiming the week of October 3, 2010 through October 9, 2010 as “Mental Illness Awareness Week.” (Record)

The Court presented an Hidalgo to Marilyn Thompson, Fiscal Administrative Services Manager, Infrastructure Services for thirty-nine (39) years of honorable service to Bexar County. (Record)



Item – 4a
September 14, 2010
Infrastructure Services

A presentation of the 2010 County Best Practice Innovation Award to Bexar County Commissioners Court for Innovation from Texas Association of Counties for use of recycled air conditioning condensation as the water source for the restored Lady Justice Fountain. Bexar County is one of eight Counties on the 254 Texas Counties to receive an award in 2010. (Record)



Item – 5b
September 14, 2010
Planning and Resource Management

The Court hereby ordered and approved a motion adopting the Bexar County Fiscal Year 2010-11 Operating and Capital Budget, as amended, including the changes to the previously filed Proposed Budget, which are documented in the Memorandum from the Budget Officer, dated September 14, 2010. (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”.



Item – 5c
September 14, 2010
Planning and Resource Management

The Court hereby ordered and approved a motion adopting and levy a tax rate of \$0.326866 for the year 2010, consisting of a \$0.030679 flood control tax rate and a \$0.296187 general fund tax rate, each specifically described in the Commissioners Court Order Setting the 2010 Tax and Levying Taxes for Bexar County in support of its Operating and Capital Budget for fiscal year 2010-11. (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”.



The Court recognized Government Class Students visiting from Northwest Vista College.



*County Judge Nelson W. Wolff left the meeting at this time.
County Commissioner Paul Elizondo is presiding officer.*



Item – 9
September 14, 2010
Commissioners Court

The Court hereby ordered and approved a motion approving an Order designating Tuesday the day of the week on which Commissioners Court shall convene in a regular term each month in the Fiscal Year 2010-11 pursuant to Local Government Code, Chapter 81, 81.005. (Record)

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



Item – 10
September 14, 2010
Commissioners Court

The Court hereby ordered and approved a motion approving the FY 2010-11 Commissioners Court Agenda Planner for Commissioners Court meeting dates and times to be held during the fiscal year. (Record)

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



Item – 11
September 14, 2010
Commissioners Court

The Court hereby ordered and approved a motion approving a request by Commissioner Sergio “Chico” Rodriguez to appoint Jesus Ramiro Rubio to The Bexar County Historical Commission, for a term 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 Sergio “Chico” Rodriguez, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Wolff, and Adkisson voting “Aye”.



Item – 12
September 14, 2010
District Clerk

The Court hereby ordered and approved a motion approving a request to accept in-kind services with a value of \$1,800 from Louisiana Binding Service, Inc. for preservation services to the 1837 to 1892 Civil and Criminal Index Book. (Record)

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



Item – 13

September 14, 2010

County Auditor

The Court hereby ordered and approved a motion approving an order canceling 9,650 previously issued Jury checks totaling \$68,818.00; \$60,148.00 will be credited to the General Fund and \$8,670 will be credited to the Unclaimed Money Fund – Due to State. (Record)

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



Item – 14

September 14, 2010

County Auditor

The Court hereby ordered and approved a motion approving an order canceling 775 previously issued checks and 559 undeliverable payments totaling \$31,672.26 and crediting the monies to the General Fund. (Record)

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



Item – 15

September 14, 2010

County Auditor

The Court hereby ordered and approved a motion approving an order canceling 124 previously issued checks and 171 undeliverable payments totaling \$81,738.92 to be escheated to the state in accordance with Texas Property Code, Title 6. Unclaimed Property, Chapter 76. (Record)

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



Item – 16

September 14, 2010

County Auditor

The Court hereby ordered and approved a motion approving an order canceling previously issued refund checks from the Bexar County Tax Office for 142 checks totaling \$173,061.86 to be escheated to the state in accordance with Texas Property Code, Title 6. Unclaimed Property, Chapter 76 and the monies from these accounts be transferred and then be paid to the County General Fund and Texas Comptroller of Public Accounts. (Record)

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



Item – 17

September 14, 2010

County Auditor

The Court hereby ordered and approved a motion approving an order canceling 180 previously issued checks and 179 undeliverable payments totaling \$25,757.47 to be credited to the Unclaimed Money Fund and are subject to public notification in accordance with Texas Property Code, Title 6. Unclaimed Property, Chapter 76. (Record)

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



Item – 18
September 14, 2010
County Auditor

The Court hereby ordered and approved a motion approving an order canceling previously issued refund checks from the Bexar County Tax Office for 257 checks totaling \$3,973.40 and crediting the monies to the Unclaimed Money Fund and the monies from these accounts be transferred and then be paid to the County General Fund. (Record)

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



Item – 19
September 14, 2010
County Auditor

The Court hereby ordered and approved a motion approving an order canceling previously issued refund checks for overpayment or erroneous payment of taxes from the Bexar County Tax Office for 57 checks totaling \$57,197.42 in accordance with Tax Code Chapter 31.11, Refunds of Overpayment or Erroneous Payments and the monies from these accounts be transferred and then be paid to the County General Fund. (Record)

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



Item – 20
September 14, 2010
County Auditor

The Court hereby ordered and approved a motion approving an order canceling previously issued refund checks from the Bexar County Tax Office for 64 checks totaling \$4,260.40 to be credited to the Unclaimed Money Fund and subject to publication notification in accordance with Texas Property Code, Title 6. Unclaimed Property, Chapter 76 and the monies from these accounts be transferred and then be paid to the County General Fund. (Record)

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



Item – 21
September 14, 2010
County Auditor

The Court hereby ordered and approved a motion approving the Tax Assessor-Collector's Report of Taxes collected in August 2010 and approving the order transferring tax collections for the month of August 2010 from unallocated receipts. (Record)

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



Item – 22
September 14, 2010
County Auditor

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

\$ 1,671,327.38 (Checks printed September 8, 2010)
\$ 2,478,570.77 (Checks printed September 10, 2010)

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



Item – 23
September 14, 2010
County Auditor

The Court hereby ordered and approved a motion authorizing the disbursement of payroll, including overtime, and auto allowances to be paid Thursday, September 30, 2010. (Record)

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



Item – 24
September 14, 2010
County Auditor

The Court hereby ordered and approved a motion authorizing the County Auditor to pay routine bills through Friday, October 1, 2010. The list of bills paid will be presented to the Court on October 5, 2010. (Record)

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



Item – 25
September 14, 2010
County Auditor

The Court hereby ordered and approved a motion approving the Tax Refunds for Paid In Error Requests totaling \$127,103.29 which have been reviewed by the Auditor’s Office and found to be valid. (Record)

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



Item – 26
September 14, 2010
Purchasing Department

The Court hereby ordered and approved a motion amending the Bexar County Policy and Procedure Manual for Controlled and Fixed Assets to reflect furniture inventory. (Record-manual to be filed later)

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



Item – 27
September 14, 2010
Purchasing Department

The Court hereby ordered and approved a motion awarding the extension of a contract with Global 360 BGS, Inc. to provide for the purchase of Imaging, Scanning and Microfilming services for a one year period beginning October 1, 2010 and ending September 30, 2011 under the same pricing, terms and conditions for an estimated annual amount of \$76,800.00 as requested by the Bexar County Department of Community Resource and authorizing the Purchasing Agent to execute the contract modification and file the appropriate award documents for the record. (Record)

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



Item – 28
September 14, 2010
Purchasing Department

The Court hereby ordered and approved a motion awarding the extension of a contract with Third Coast Asphalt,

LLC, Martin Asphalt Company and Ergon Asphalt & Emulsions, Inc. to provide for the purchase of Rock and Asphaltic Road Materials on a requirements contract basis for a two month period, beginning October 1, 2010 and ending November 30, 2010, under the same terms, conditions and prices in the estimated amount of \$36,000.00 as requested by the Bexar County Infrastructure Services Department; and authorizing the Purchasing Agent to execute contract modification and file appropriate award documents for record. (Record)

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



Item – 29
September 14, 2010
Purchasing Department

The Court hereby ordered and approved a motion authorizing the Purchasing Agent to extend a contract with Manheim San Antonio as an extension of the City of San Antonio Rider Program with Bexar County for auction of automotive, heavy equipment and salvage for a one year period beginning October 1, 2010 through September 30, 2011, under the same pricing, terms and conditions. (Record)

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



Item – 30
September 14, 2010
Purchasing Department

The Court hereby ordered and approved a motion awarding the renewal of a requirements contract with Tri-State Employment Service, Inc. to provide for the purchase of temporary labor payroll services for a one-year period beginning October 1, 2010 through September 30, 2011 under the same terms and conditions as requested by the Bexar County Elections Department in the estimated amount of \$760,000.00; and authorizing the Purchasing Agent to execute and file the appropriate award documents for the record. (Record)

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



Item – 31
September 14, 2010
Purchasing Department

The Court hereby ordered and approved a motion awarding the renewal of a service contract with South Texas Elevator, LLC to provide for the purchase of Elevator Maintenance Services for a one-year period beginning

October 1, 2010 through September 30, 2011 under the same pricing, terms and conditions as requested by the Bexar County Infrastructure Services Department in the amount of \$217,865.00; and authorizing the Purchasing Agent to execute and file the appropriate award document for the record. (Record)

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



Item – 32
September 14, 2010
Purchasing Department

The Court hereby ordered and approved a motion awarding the renewal of a contract with The Levy Company, LP (SMWBE) to provide for the purchase of Traffic Signal and School Zone Flasher Maintenance Services on a requirements contract basis for a one-year period beginning October 1, 2010 through September 30, 2011 under the same pricing, terms and conditions for an estimated annual amount of \$150,000.00 as requested by the Bexar County Infrastructure Services Department; and authorizing the Purchasing Agent to execute and file the appropriate award documents for the record. (Record)

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



Item – 33
September 14, 2010
Purchasing Department

The Court hereby ordered and approved a motion awarding the renewal of a service contract with Loomis Armored US, LLC to provide Bexar County with Armored Car Services for a one-year period beginning October 1, 2010 and ending September 30, 2011 under the same pricing, terms and conditions for an estimated annual amount of \$93,000 and authorizing the Purchasing Agent to execute contract modification and file the appropriate award documents for the record. (Record)

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



Item – 34
September 14, 2010
Purchasing Department

The Court hereby ordered and approved a motion awarding the renewal of a service contract with Water ChemSultants Inc. to provide for the purchase of Water Treatment Services for a one-year period beginning October 1, 2010 through September 30, 2011 under the same prices, terms and conditions as requested by the Bexar County

Infrastructure Services Department in the amount of \$77,994.92; and authorizing the Purchasing Agent to execute and file the appropriate award documents for the record. (Record)

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



Item – 35
September 14, 2010
Purchasing Department

The Court hereby ordered and approved a motion awarding the renewal of a contract with Lynwood Building Materials, Inc. and Martin Marietta Materials to provide for the purchase of Concrete, Cement and Ready-Mix Concrete on a requirements contract basis for a one-year period beginning October 1, 2010 through September 30, 2011 under the same pricing, terms and conditions as requested by the Bexar County Infrastructure Services Department for an estimated annual amount of \$50,000.00; and authorizing the Purchasing Agent to execute and file the appropriate award documents for the record. (Record)

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



Item – 36
September 14, 2010
Purchasing Department

The Court hereby ordered and approved a motion awarding the renewal of a service contract with American Critical Energy Systems, Inc. to provide for the purchase of Maintenance of Uninterruptible Power Supplies and Battery Systems services for a one-year period beginning October 1, 2010 through September 30, 2011 under the same pricing, terms and conditions as requested by the Bexar County Infrastructure Services Department in the estimated amount of \$40,315.00; and authorizing the Purchasing Agent to execute and file the appropriate award documents for the record. (Record)

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



Item – 37
September 14, 2010
Purchasing Department

The Court hereby ordered and approved a motion awarding the renewal of a contract with Continental Battery to provide for the purchase of Batteries (Automotive and Equipment) on a requirements contract basis for a one-year period beginning October 1, 2010 through September 30, 2011 under the same pricing, terms and conditions for an annual estimated amount of \$17,500.00 as requested by the Bexar County Infrastructure Services Department; and

authorizing the Purchasing Agent to execute and file the appropriate award documents for the record. (Record)

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



Item – 38
September 14, 2010
Purchasing Department

The Court hereby ordered and approved a motion awarding a contract to the lowest and best bid submitted by Construction Rent-A-Fence, Inc. to provide for the purchase of construction services for the Hausman Road Drainage Project (LC-9) Fencing, Precinct 3 in the amount of \$73,555.00 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 Sergio “Chico” Rodriguez, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Wolff, and Adkisson voting “Aye”.



Item – 39
September 14, 2010
Purchasing Department

The Court hereby ordered and approved a motion awarding the renewal of a contract with 3M Company, Wenzel, Wenzel & Assoc. Inc. and Vulcan Signs to provide for the purchase of Traffic Materials on a requirements contract basis for a one-year period beginning October 1, 2010 through September 30, 2011 under the same pricing, terms and conditions as requested by the Bexar County Infrastructure Services Department for an estimated amount of \$396,000.00; and authorizing the Purchasing Agent to execute and file the appropriate award documents for the record. (Record)

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



Item – 40
September 14, 2010
Purchasing Department

The Court hereby ordered and approved a motion granting a discretionary exemption to the competitive bidding requirements set forth in the Texas County Purchasing Act for the purpose of awarding a contract to The History Shop for the purchase of restoration services for the Spanish Archives on a requirements contract basis for a one-year period beginning October 1, 2010 and ending September 30, 2011 in the estimated annual amount of \$60,000.00 as requested by the Bexar County Clerk’s Office, and authorizing the Purchasing Agent to execute and

file the appropriate award documents for the record. (Record)

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



Item – 41
September 14, 2010
Purchasing Department

The Court hereby ordered and approved a motion authorizing the removal and sale of one each surplus firearm weapon to Deputy Roger Arreaga, 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; and 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 Sergio “Chico” Rodriguez, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Wolff, and Adkisson voting “Aye”.



Item – 42
September 14, 2010
Purchasing Department

The Court hereby ordered and approved a motion approving the Purchasing Agent’s action in removing 857 items of salvage desktop printers in accordance with that attached List of Salvage Printers from Bexar County inventory that have been disposed. (Record)

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



Item – 43
September 14, 2010
Purchasing Department

The Court hereby ordered and approved a motion authorizing the Purchasing Agent to advertise an Invitation for Bids to provide for the purchase of Rock and Asphaltic Road Materials on a requirements contract basis for the Bexar County Infrastructure Services Department. (Record)

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



Item – 44
September 14, 2010
Purchasing Department

The Court hereby ordered and approved a motion authorizing the Purchasing Agent’s action in removing and offering 120 pieces of County surplus-salvage office furniture by charitable donation to Habitat for Humanity of San

Antonio; and approving remaining outlived surplus-salvage office furniture to be destroyed. (Record)

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



Item – 45

September 14, 2010

Community Resources

The Court hereby ordered and approved a motion approving the Community Housing Development Organization Agreement with Housing and Community Services, Inc. in the amount of \$338,236 for the development of the Montabella Pointe Apartments using Fiscal-Year 2003 and 2009 HOME funds. (Record)

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



Item – 46

September 14, 2010

Community Resources

The Court hereby ordered and approved a motion approving a contract totaling \$73,031 to San Antonio AIDS Foundation for services funded by Fiscal-Year 2010 HIV Health and Social Services (State Services) for the contract period of September 1, 2010 through August 31, 2011. (Record)

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



Item – 47

September 14, 2010

Community Resources

The Court hereby ordered and approved a motion approving three contract amendments for FY 2010-2011 funding with B.E.A.T. AIDS totaling a new contract amount of \$283,069 for Part A Formula, Part A Supplemental and Part B Service Delivery. (Record)

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



Item – 48

September 14, 2010

Infrastructure Services

The Court hereby ordered and approved a motion ratifying approval of the submission of the 2010 State Homeland Security Program (SHSP) and Citizen Corps Program (CCP) grant funding applications to the Alamo Area Council

of Governments (AACOG) by the Bexar County Sheriff's Office, and Fire Marshal/Emergency Management Office and acceptance of \$425,656.65 in grant funding awarded by AACOG. (Record)

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



Item – 49
September 14, 2010
Infrastructure Services

The Court hereby ordered and approved a motion authorizing approval to begin negotiations with the following engineering firms to design Fiscal Year 2011 Flood Control Project Phase 2 Year 4-1: (Record)

Cobb, Fendley & Associated:	French Creek Drainage Study LC 22 (Precinct 3)
Costello, Inc.	Briggs Road MR 28 (Precinct 1)
Freese & Nichols	Science Park SA 14 (Precinct 2)
Gilver Engineers	Cimarron Subdivision CB 19 (Precinct 4)
LNV Engineering	Perrin Beitel SC 9 (Precinct 4)
Michael Baker Jr., Inc.	French Creek Tributary NWWC-Environmental LC23 (Precinct 3)
Poznecki Camarillo, Inc.	VFW Drainage SA 44 (Precinct 1)
PBS&J	Concepcion Creek Drainage Improvement SA 48 (Precinct 1)

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



Item – 50
September 14, 2010
Infrastructure Services

The Court hereby ordered and approved a motion approving an Engineering Services Agreement between Bexar County and Structural Engineering Associates, Inc., for professional civil engineering design services in an amount not to exceed \$430,300.00 for design fees related to the West Military Drive Bridge Extension Project, BC 2010-215. Precinct Number 1 (Record)

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



Item – 51
September 14, 2010
Infrastructure Services

The Court hereby ordered and approved a motion approving an Engineering Services Agreement between Bexar County and Lockwood, Andrews & Newnam, Inc. for professional civil engineering design services in an amount not to exceed \$391,787.10 for design fees related to the Bulverde Road Phase IV Project, BC 2010-221. Precinct

Number 3 (Record)

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



Item – 52

September 14, 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 Alamo Architect in the amount of \$93,479 for architectural/engineering design services for the Courthouse Weatherization Project. (Record)

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



Item – 53

September 14, 2010

Infrastructure Services

The Court hereby ordered and approved a motion approving Amendment Number 2 to the contract between Bexar County and Fisher Heck Architects in the amount of \$11,990.00 for architectural services in connection with the Restoration of the 1892 Courtroom and Temporary Location for the Presiding Courtroom Project. (Record)

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



Item – 54

September 14, 2010

Infrastructure Services

The Court hereby ordered and approved a motion authorizing the County Judge to execute a Amendment Number 3 to the Architectural Services Agreement between Bexar County and Ford Powell Carson Architects in the amount of \$88,000.00 in connection with the Cadena-Reeves Justice Center 4th Floor renovation project. (Record)

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



Item – 55

September 14, 2010

Infrastructure Services

The Court hereby ordered and approved a motion authorizing the County Judge to execute Field Alteration Number 3 to the contract between Bexar County and Silverado Brothers in connection with the Ventura Phase VIII Street Reconstruction Project, BC 2009-069 increasing the contract amount by \$106,352.93. Precinct Number 4 (Record)

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



Item – 56
September 14, 2010
Infrastructure Services

The Court hereby ordered and approved a motion authorizing the County Judge to execute Field Alteration Number 15 for the contract between Bexar County and E.E. Hood and Sons, Inc. in connection with the Culebra Road (FM 3487) Reconstruction Project, BC 2008-177, increasing the contract amount by \$4,297.64. Precincts Number 1 and 2 (Record)

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



Item – 57
September 14, 2010
Infrastructure Services

The Court hereby ordered and approved a motion authorizing the County Judge to execute Field Alteration Number 17 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 \$67,747.54. Precinct Number 3 (Record)

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



Item – 58
September 14, 2010
Infrastructure Services

The Court hereby ordered and approved a motion authorizing the County Judge to sign a Deed for the sale of 0.061 acres of land at the northwest corner of FM 1535 (NW Military Highway) and Manton Lane, to MB & BB Investments, LLC, for total consideration of \$30,500.00. Precinct Number 3 (Record-deed to be recorded in the County Clerks Deed Records Department)

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



Item – 59
September 14, 2010
Infrastructure Services/Flood Control Division

The Court hereby ordered and approved a motion authorizing the purchase of property, Lot 238 and Lot 239, Northwood Hills Subdivision, Unit Number 3, known as 4140 Menger Road, Bexar County, Texas according to the plat thereof recorded in Volume 5300, Page 183-184, Deed and Plat Records of Bexar County, Texas from Nancy O. Fieseler and Harold H. Fieseler, Owner, for total consideration of \$270,000.00, Flood Control Capital Project, Menger Road, SC12. Precinct Number 3 (Record)

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



Item – 60
September 14, 2010
Infrastructure Services

The Court hereby ordered and approved a motion authorizing a 0.074 acre Electric Line Right-of-Way Easement to City Public Service Board over and across a small strip of property located within the Coliseum property itself, easement falls within Lot 2, Block 1, N.C.B. 7663, and said easement is to be used to serve new power to the Coliseum property. Precinct Number 4 (Record)

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



Item – 61
September 14, 2010
Infrastructure Services/Floor Control Division

The Court hereby ordered and approved a motion authorizing the purchase of a temporary easement being a 0.913 and 0.457 acre tract of land out of the Elizabeth Plunkett Survey Number 72, Abstract 573, County Block 4433, and being a portion of 63.547 acre tract granted to Choi Family Qualified Domestic Trust as described in Volume 8059, Page 1337 Official Public Record of Real Property, Bexar County, Texas, and being out of Lot 1, Block 1, New City Block 18083 and a 26.65 acre Drainage and Sanitary Sewer Easement, Ingram West Subdivision recorded in Volume 9512, Page 190 of the Deed and Plat records of Bexar County, Texas, known as 7127 Ingram Road in the City of San Antonio, Bexar County, Texas, from Choi Family Qualified Domestic Trust, Owner, for a total consideration of \$51,831.00, 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 Sergio “Chico” Rodriguez, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Wolff, and Adkisson voting “Aye”.



Item – 62
September 14, 2010
Infrastructure Services/Floor Control Division

The Court hereby ordered and approved a motion authorizing the purchase of a temporary easement being a 0.420 acre tract of land out of the Elizabeth Plunkett Survey Number 72, Abstract 573, County Block 4433, and being a portion of 63.547 acre tract granted to Choi Family Qualified Domestic Trust as described in Volume 8059, Page 1337 Official Public Record of Real Property, Bexar County, Texas, and being out of Lot 2, Block 1, New City Block 18083 Ingram West Subdivision recorded in Volume 9550, Page 98 of the Deed and Plat records of Bexar County, Texas, from Choi Family Qualified Domestic Trust, Owner, for a total consideration of \$22,242.00, 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 Sergio “Chico” Rodriguez, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Wolff, and Adkisson voting “Aye”.



Item – 63
September 14, 2010
Infrastructure Services/Public Works Division

The Court hereby ordered and approved a motion accepting the following streets and drains in the identified subdivisions for County maintenance to begin September 14, 2010: (Record)

<u>Subdivision</u>	<u>Street/Drain</u>
Stillwater Ranch, Unit 3 Plat No. 050340 (Precinct No. 2)	Stillwater Pkwy (2,221.35 lf) Stillwater Creek (1,042.62 lf) Horse Crescent (340.00 lf) Andrews Pass (982.91 lf) William Grove (656.49 lf) Old Stillwater (1,071.73 lf)
Stillwater Ranch, Unit 3 Plat No. 050340 (Precinct No. 2)	Drain A (11 lf) Drain B (11.0 lf)
Stillwater Ranch, Unit 5 Plat No. 070129 (Precinct No. 2)	Culebra Valley (957.11 lf) Mayan Ranch (812.72 lf) Alamito Creek (635.40 lf) Ruger Ranch (463.45 lf) Emmett Grove (641.31 lf) High Lonesome (624.55 lf) Chisos Canyon (151.05 lf) Old Stillwater (463.74 lf)
Escondido North U-1 Plat #060062	Texas Palm (578.19 lf) Bandera Path (78.41 lf)

(Precinct No. 4)

Binz-Engleman Road Deceleration Lane (495.0 lf)

Binz-Engleman Road Acceleration Lane (425.0 lf)

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



Item – 64

September 14, 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
Criminal & Civil District Courts	BT10-201	\$42,650	Contingencies-Ad Litem (9411)	Court Appointed Attorney – Felony (4221) - \$17,000; Court Appointed Attorney – Ad Litem (4224) - \$25,650

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



Item – 7

September 14, 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. Susan D. Reed, Criminal District Attorney - Baseline Budgets for the following: State Asset Forfeiture funds, Federal Asset Forfeiture funds, Gambling account, Money Laundering funds, Checks Section funds and LEOSE and Comptroller funds for FY 2011.
- b. Letter to Nelson W. Wolff, County Judge from Charles E. Brown, P.C. Attorney at Law, Re: Foreclosure of Transferred Tax Lien.
- c. Notice of Personal Injury claim on behalf of Colin Huitfeldt and Maribeth Huitfeldt, guardian of Colin Huitfeldt, minor child, submitted by Edgardo R. Baez, the Baez Law Firm, P.C.
- d. Notice of Citation directed to Bexar County by serving Honorable Nelson W. Wolff, CRVI TXAZCO Portfolio, L.L.C. vs Continental Homes of Texas, L.P.
- e. Letters to Bexar County Sheriff’s Office submitted by Thomas P. Wood regarding complaints in connection with burglaries at 11373 Southton Road.
- f. Letter to Judge Nelson W. Wolff from Virginia Nicholas, Chair of the Bexar County Historical Commission, regarding the Bexar County Historical Commission Bylaws.



Item – 8
September 14, 2010
Commissioners Court

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

Robert Vargas, III – Black Effort Against the Threat of AIDS (items 67&69)
George Wood – Beat Aids Coalition Trust (item-67)



Item – 65
September 14, 2010
Purchasing Department

The Court hereby ordered and approved a motion awarding a contract to the lowest and best bid submitted by Slack & Co. Contracting, Inc. to provide for the purchase of construction services for the Ventura Subdivision Phases IX & X Street Reconstruction Project, Precinct 4 in the amount of \$3,888,316.36 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 Sergio “Chico” Rodriguez, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Wolff, and Adkisson voting “Aye”.



Item – 66
September 14, 2010
Purchasing Department

The Court hereby ordered and approved a motion awarding delivery order to Dell Marketing LP for the purchase of computer equipment, software, services and supply items on a requirements contract basis during Fiscal Year 2011 for an estimated amount of \$1,564,000 as requested by the Bexar County Information Services Department; and authorizing the Purchasing Agent to execute and file the appropriate award document for record. (Record)

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



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. Lucia Rosales vs. Bexar County Sheriff’s Department.

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. Service provider contracts with B.E.A.T. AIDS.

12:05 p.m.



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

12:30 p.m.



Item – 67
September 14, 2010
Community Resources

Discussion was held regarding action to terminate all contracts for funding with B.E.A.T. AIDS and the de-obligation of remaining funding in the approximate amount of \$274,507 from Part A Formula, Part A Supplemental, Minority Aids Initiative and Part B Service Delivery and Part B State Services. (Record)

A motion was presented by County Commissioner Kevin Wolff, duly seconded by County Commissioner Sergio “Chico” Rodriguez, to terminate all contracts for funding with B.E.A.T. AIDS. Motion withdrawn.

Without objection, discussion will be continued during afternoon session.



Item – 68
September 14, 2010
District Attorney

The Court hereby ordered and approved a motion approving recommendations by the District Attorney’s office to accept settlement offer in the amount \$20,000 in the following legal claim: Lucia Rosales vs. Bexar County Sheriff’s Department.

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, and Adkisson voting “Aye”.



Commissioners Court recessed at this time. 12:35 p.m.



Commissioners Court reconvened at this time. 1:40 p.m.



Item – 5 (d-e)
September 14, 2010
Infrastructure Services

Public Hearing was called to order at 1:45 p.m. to accept public input regarding a mass gathering permit application by Mi Casa Tamales to hold a Kevin Fowler Concert on September 25, 2010, from 6:00 p.m. to 11:00 .m. at 25930 I.H. 10 West, Boerne, Texas 78005.

There being no citizens to be heard, public hearing closed at 1:45 p.m.

The Court hereby ordered and approved a motion approving the mass gathering permit application by Mi Casa Tamales to hold a Kevin Fowler Concert on September 25, 2010, from 6:00 p.m. to 11:00 p.m. at 25930 I.H. 10 West, Boerne, Texas 78006. (Record)

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



Item – 67
September 14, 2010
Community Resources

Discussion continued regarding action to terminate all contracts for funding with B.E.A.T. AIDS and the de-obligation of remaining funding in the approximate amount of \$274,507 from Part A Formula, Part A Supplemental, Minority Aids Initiative and Part B Service Delivery and Part B State Services. (Record)

The Court hereby ordered and approved a motion terminating all contracts for funding with B.E.A.T. AIDS and the de-obligation of remaining funding in the approximate amount of \$274,507 from Part A Formula, Part A Supplemental, Minority Aids Initiative and Part B Service Delivery and Part B State Services. (Record)

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



Item – 5f
September 14, 2010
Commissioners Court

The Court hereby ordered and approved a motion approving that the property tax rate be increased by the adoption of a tax rate of \$0.276235, which is effectively a 3.8 % increase in the tax rate and approving the recommended FY 2010 ad valorem tax rate for the Bexar County Hospital District d/b/a University Health System tax rate of \$0.276235 per \$100 valuation for FY 2011 be adopted, in two separate components, and approved upon each motion as follows: (Record)

[Maintenance and Operation Tax Rate] Adopting the FY 2010 ad valorem tax rate for Bexar County Hospital District d/b/a University Health System for Maintenance and Operation (M&O) at the rate of \$0.233876 per \$100 valuation of all taxable property situated in Bexar County, Texas. Adoption of the proposed M&O rate is lower than the effective M&O rate and the homeowner of a \$100,000 home will pay \$8.27 less than at the effective M&O rate.

[Debt Service Tax Rate] Adopting the FY 2010 ad valorem tax rate for Bexar County

Hospital District d/b/a University Health System for principal and interest at a rate of \$0.042359 per \$100 valuation of all taxable property situated in Bexar County, Texas.

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" and Commissioner Wolff voting "Nay".



Item – 5g
September 14, 2010
Community Resources

There being no objections item 5g (Report from Workforce Solutions-Alamo on workforce issues.) will be deferred until next court meeting.



A motion for adjournment was presented by County Commissioner Sergio "Chico" Rodriguez, duly seconded by County Commissioner Paul Elizondo, 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, until Tuesday, October 5, 2010 at 11:00 a.m.

2:10 P.M

NELSON W. WOLFF, COUNTY JUDGE
BEXAR COUNTY, TEXAS

ATTEST:

GERARD RICKHOFF, COUNTY CLERK
BEXAR COUNTY, TEXAS