

/Orders of Commissioners Court
Bexar County, Texas

TUESDAY, DECEMBER 14, 2010

Court met at 11:05 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 Tuesday, December 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:

Bexar County Sheriff Amadeo Ortiz gave the invocation at today's meeting. County Judge Nelson W. Wolff led the Pledge of Allegiance.



A letter of condolence is to be sent to the family of Arden Ann Specia-Spencer expressing to them the sympathy of the court on the loss of their loved one. She graduated from MacArthur High School in San Antonio and later graduated from The University of Texas in Austin with a degree in Petroleum Land Management. She worked for Conoco Oil in Houston while attending South Texas School of Law. Upon graduation she worked for the 14th Court of Appeals in Houston. She was a practicing lawyer in Houston and then in San Antonio. She was an active member of the San Antonio Zoological Society and many other social and business organizations. She is survived by her parents Anthony and Mary Ellen Specia, her two sons Cash Anthony and Chase Herreal, her sister Andrea Eastland, her brothers; Grant Specia and Ashley Specia; and nieces and nephews.

A letter of condolence is to be sent to the family of Troy Dana Groomer expressing to them the sympathy of the court on the loss of their loved one. He was raised in Port Isabel and attended Port Isabel High School. After attending college at Texas Christian University, he joined the family business in San Antonio, Groomer Seafood of San Antonio. In his early years, he attended First Baptist Church in Port Isabel and was a member of the Fellowship of Christian Athletes. He is survived by his two daughters, Francesca Groomer and Leaven Groomer; his parents, Susie and Gilbert Groomer and other family members.

A letter of condolence is to be sent to the family of Joyce Sekinger expressing to them the sympathy of the court on the loss of their loved one. She was a lay Eucharistic Minister and served along side of her deacon husband at the Brooks AFB Chapel from 1977 until its' closing in 2008. She was a member of St. Benedict's Catholic Church and a member of the Catholic Center of Charismatic Renewal. Her favorite charities were the National Shrine of St. Jude, Schoenstatt Mother's League; the Association of the Miraculous Medal, Our Lady of Mount Carmel and the Carmelite Scapular Confraternity. She graduated from Oblate School of Theology in 1987 continuing to attend classes until 1992. She is survived by her husband of 60 years, Deacon Eugene E. Sekinger; daughters, Peggy Ann Harwell, Anna Marie Powell; son, Eugene J. Sekinger; 4 grandsons and 2 great-grandsons.

A letter of condolence is to be sent to the family of Walter D. Scott Jr. expressing to them the sympathy of the court on the loss of their loved one. Mr. Scott proudly served in the United States Marine Corp during WWII and after. During that time, he was stationed in the Pacific theater and Asia. After completing his tour of duty, he worked as an Aircraft Electrical Systems Mechanic at Brooks and Kelly A.F.B. for over 30 years. He also gave his time to the community, volunteering as an ROTC instructor, baseball coach, and usher for St. Benedict's Catholic Church. He is survived by his wife of 56 year, Annette M. Scott; daughter, Julie Scott Mielke; son, Walter D. Scott II; and 4 grandchildren and numerous nieces and nephews and other family members and friends.

A letter of condolence is to be sent to the family of Robert Puente expressing to them the sympathy of the court on the loss of their loved one. He was part of the Federal Government Brazero Program and went to work in automobile manufacturing plants in Detroit, Michigan. He is survived by his children, Linda Rebecca Talbot, Robert Phillip Puente, Julie Salas, Maria Lopez, Robert Richard Puente and Carol Urrutia.

A letter of condolence is to be sent to the family of Brig. Gen. (Ret.) Kenneth Raymond Fleenor expressing to them the sympathy of the court on the loss of their loved one. He graduated from Western Kentucky State University in January 1952 and was commissioned as an officer in the U.S. Air Force. His 28 years career in the Air Force took him all over the world and brought him much joy in flying his airplanes and serving his beloved country. In December 1967, 13 missions short of fulfilling his quota of missions in Vietnam, his F-4 Phantom fighter jet were shot down near Hanoi. He was captured and spent 5 years and 3 months in North Vietnamese prisons. Enduring unimaginable starvation, isolation, and torture, his faith in God helped him survive these conditions. He was released from captivity in March 1973 at the end of the war and continued his Air Force career. Moving his family to Randolph Air Force Base in San Antonio, Texas, he served as Instructor pilot, Wing Deputy Commander of Operations, Base Commander, Wing Commander, and Deputy Chief of Staff of Operations Air Training Command before retiring. In his retirement he worked for the Governor of Texas Regional Coordinator of the Texas War on Drugs covering 59 counties in South Texas. He later became the General Manager of the San Antonio Stock Show and Rodeo and the Joe and Harry Freeman Coliseum. He served on the Board of Directors of USAA, USAA Federal Savings Bank, USAA Real Estate Company, and the Retama Entertainment Group. He served on the Selma City Council (1984-1987), and as Mayor of Selma (1987-1994). Recently, was honored by the West San Antonio Chamber of Commerce for his role in the issuance of tax bonds that were used to build Retama Park, which produced 1,500 jobs during live racing. He is survived by his wife of 59 years, Anne Elizabeth Read Fleenor, his children, Katherine Thomas, John Fleenor, Patricia Wood, Kerry Horne and Kay Duc; 11 grandchildren and 2 great grandchildren.

A letter of condolence is to be sent to the family of Maria De La Luz Gonzalez expressing to them the sympathy of the court on the loss of their loved one. She is survived by her children; Daniel G. Rodriguez, Janie Rodriguez, Jo Ann Gonzalez, Joe G. Gonzalez; 13 grandchildren and 3 great-grandchildren and numerous nieces and nephews.

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

Arden Ann Specia-Spencer
Troy Dana Groomer
Joyce Sekinger
Walter D. Scott Jr.
Roberto Puente
Brig. Gen. (Ret.) Kenneth Raymond Fleenor
Maria De La Luz Gonzalez



December 14, 2010
Commissioners Court

The Court presented Certificate of Distinguished Service to the following members of the Judiciary who will complete their term of office in December 2010: (Record)

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

Honorable Ray Olivarri

Honorable Catherine Torres-Stahl

Honorable Gloria Saldana

The presented a Certificate of Distinguished Service to Fernando A. Guerra, M.D., M.P.H. for his dedicated service to the San Antonio Metropolitan Health District.

County Commissioner Paul Elizondo joined the meeting at this time.

A motion was presented by County Commissioner Paul Elizondo, duly seconded by County Commissioner Tommy Adkisson, to suspend the regular order of business and hear agenda item 50 and item 60 at this time. Motion was voted on as follows: Commissioners Rodriguez, Elizondo, Wolff, Adkisson, and Judge Wolff voting “Aye”. Motion carried.



Item – 50
December 14, 2010
County Courts-At-Law

The Court hereby ordered and approved a motion approving a request from County Courts-at-Law to obtain additional staff for County Court at Law 13, Judge Monica Gonzalez. (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 Rodriguez, Elizondo, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 60
December 14, 2010
Commissioners Court

Discussion was held regarding the Sheriff’s Office request to create two LE Deputy Sheriff (Bailiff) positions for added security associated with the Justice of the Peace Precinct 1, Place 1, and the Pre-trial Services Satellite Office. (Record)

Ruben C. Tejada, Constable, Precinct 1 spoke regarding this item.

The Court hereby ordered and approved a motion authorizing two positions to be provided by Constable Precinct 4 on a temporary bases for security within the Justice of the Peace Precinct 1, Place 1 facility.

A motion 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”.



Item – 53

December 14, 2010
Purchasing Department

The Court hereby ordered and approved a motion awarding a contract to the lowest and best bid submitted by Capital Excavation Company to provide for the purchase of construction services for Ingram Road Low Water Crossing Number 58 (Leon Creek-8), in Precinct 2, in the amount of \$7,429,575.40, 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 Paul Elizondo, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 54
December 14, 2010
Purchasing Department

The Court hereby ordered and approved a motion awarding a contract to the lowest and best bid submitted by Capital Excavation Company to provide for the purchase of construction services for Foster Road Reconstruction Project Phase II, in Precinct 4, in the amount of \$5,299,351.80, 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 Paul Elizondo, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 55
December 14, 2010
Purchasing Department

The Court hereby ordered and approved a motion awarding a contract to the lowest and best bid submitted by Texas Sterling Construction Company to provide for the purchase of construction services for the San Pedro Huisache Phase II (SA-22) project, in Precinct 2 and 4, in the amount of \$9,670,520.30, 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; and approval of the appropriate budgetary transfer. (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 Rodriguez, Elizondo, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 51
December 14, 2010
Constable, Precinct 3

The Court hereby ordered and approved a motion tabling action regarding the purchase of two (2) License Plate Readers for Precinct 3 Constable’s Office in the amount of \$22,000 each, which will increase collections of outstanding JP fines. (Record)

A motion 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”.



Item – 52
December 14, 2010
Purchasing Department

The Court hereby ordered and approved a motion awarding a contract to the lowest and best price quotation submitted by Lone Star BMW-Triumph for the purchase of two (2) law enforcement motorcycles in the amount of \$45,276.00, as requested by the Bexar County Constable, Precinct 3; and authorizing the Purchasing Agent to execute and file the appropriate award documents for the record. (Record)

A motion was presented by County Commissioner Kevin Wolff, 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”.



Commissioners Court recessed at this time. 12:25 p.m.



Commissioners Court reconvened at this time. 1:35 p.m.



Item – 4a
December 14, 2010
Commissioners Court

A presentation given by Judge Karen Crouch regarding the Courts in Schools Program and to thank Commissioners Court for their continued support of this program. The Court presented Judge Crouch a Certificate of Distinguished Service who will complete her term of office in December 2010. (Record)



Item – 8
December 14, 2010
Commissioners Court

The Court hereby ordered and approved a motion approving and accepting statutorily required Official Bonds and Oaths for the following elected County officials, for the term beginning January 1, 2011. (Record)

<u>County Official</u>	<u>Position</u>
Nelson W. Wolff	County Judge
Paul Elizondo	County Commissioner, Precinct 2
Tommy Adkisson	County Commissioner, Precinct 4
Gerard Rickhoff	County Clerk
Donna Kay McKinney	District Clerk
Edmundo Zaragoza	Justice of the Peace, Place 1, Place 3
William Donovan	Justice of the Peace, Place 2, Place 2
Keith Baker	Justice of the Peace, Place 3
Rogelio Roger Lopez	Justice of the Peace, Place 4

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”.



Item – 9
December 14, 2010
Commissioners Court

The Court hereby ordered and approved a motion approving a request from Commissioner Tommy Adkisson to appoint Leon Nickels Jr. to the Bexar County Emergency Services District Number 12 to begin upon appointment and expire on December 31, 2011. (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”.



Item – 10
December 14, 2010
District Attorney’s Office

The Court hereby ordered and approved a motion approving a professional services contract with the Family Services Association of San Antonio, Inc. for \$71,210.00 for counseling services to be provided to victims of domestic violence through the Bexar County Family Justice Center. (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”.



Item – 11
December 14, 2010
District Attorney’s Office

The Court hereby ordered and approved a motion approving the request from the Criminal District Attorney to hire Jay Brandon, above minimum but below midpoint, as a Prosecutor V (V-13) at an annual salary of \$90,672.00.

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”.



Item – 12
December 14, 2010
County Auditor

The Court hereby ordered and approved a motion authorizing the County Auditor to pay routine bills through Friday December 10, 2010. The list of bills will be presented to the Court on December 14, 2010. (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".



Item – 13
December 14, 2010
County Auditor

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

\$ 5,527,971.98 (Checks printed December 08, 2010)
\$ 1,239,508.43 (Checks printed December 10, 2010)

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".



Item – 14
December 14, 2010
County Auditor

The Court hereby ordered and approved a motion approving the disbursement of payroll including overtime, and auto allowances to be paid Wednesday, December 15, 2010. (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".



Item – 15
December 14, 2010
County Auditor

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



Item – 16
December 14, 2010
County Auditor

The Court hereby ordered and approved a motion accepting an 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 of the month ending December 6, 2010; and authorizing 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 Paul Elizondo, which motion was voted on as follows: Commissioners Elizondo, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 17
December 14, 2010
County Auditor

The Court hereby ordered and approved a motion approving the certification of additional revenue into the Bexar County Sheriff’s State Asset Forfeiture Fund – 860 of \$35,810. (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”.



Item – 18
December 14, 2010
Purchasing Department

The Court hereby ordered and approved a motion awarding contracts to Alamo Area Resource Center, Center for Health Care Services, El Centro del Barrio d/b/a/ Centro Med, San Antonio AIDS Foundation, and University Health System to provide Bexar County with the purchase of FY 2011-2012 Ryan White Program’s Part A, Minority AIDS Initiative, Part B – Service Delivery, and HIV Health and Social Services Funding for the San Antonio HIV Administrative Service Areas contingent upon successful negotiations and contract execution as requested by the Bexar County Department of Community Resources. The necessary contract documents will be submitted to Commissioners Court at a later date for consideration and action upon successful negotiations. (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”.



Item – 19
December 14, 2010
Purchasing Department

The Court hereby ordered and approved a motion awarding a contracts to Mary Rauch Communications Skillpath Seminars, Training Evolution Incorporated, Train & Retrain Incorporated, Rockhurst University, Leticia Herrera-Price (SMWBE), Human Resource Consultants (SMWBE), Corporate Compass LLC, Fred Pryor Seminars, Winslow Consulting, and Goal Minds to provide Bexar County with the purchase of Countywide Training Services, contingent upon successful negotiations and contract execution, as requested by the Bexar County Planning & Resource Management Department. The necessary contract documents will be submitted to Commissioners Court at a later date for consideration and action upon successful negotiations between Bexar County and the recommended awardees. (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”.



Item – 20
December 14, 2010
Purchasing Department

The Court hereby ordered and approved a motion awarding a delivery order to Sirius Computer Solutions for the purchase of annual hardware maintenance for the zServer peripherals for the period beginning upon award through October 30, 2011 in the amount of \$91,030.00 as requested by the Bexar County Information Technology 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 Paul Elizondo, which motion was voted on as follows: Commissioners Elizondo, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 21
December 14, 2010
Purchasing Department

The Court hereby ordered and approved a motion awarding a delivery order to Philpott Motors, Inc. for the purchase of one (1) law enforcement vehicle as requested by the Bexar County Constable, Precinct 4, in the amount of \$22,907.39; 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 Paul Elizondo, which motion was voted on as follows: Commissioners Elizondo, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 22
December 14, 2010
Purchasing Department

The Court hereby ordered and approved a motion awarding a contract to the lowest and best bid submitted by Pecos

Fence, Incorporated to provide for the purchase of construction services for the Laddie Place RSWF Phase III (SA-2) Fencing Project, in Precinct 2, in the amount of \$84,725.00, as requested by the Bexar County Infrastructure Services Department; and authorizing the Purchasing Agent to execute and file the appropriate documents for the record. (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”.



Item – 23
December 14, 2010
Purchasing Department

The Court hereby ordered and approved a motion awarding a contract to the lowest and best bid from R.L. Jones, LP (SMWBE) to provide for the one-time purchase of construction services for the City of Elmendorf 10th Street Reconstruction Project, Phase Two within Precinct 4, in the contract amount of \$116,327.00 as requested by the Bexar County Department of Community Resource; and authorizing the Purchase 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 Paul Elizondo, which motion was voted on as follows: Commissioners Elizondo, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 24
December 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 SAS Institute, Inc., in an estimated amount not to exceed \$156,226.80 for the purchase of staff augmentation for SAS programming consultant in support of the Planning and Resource Management Jail Population Analysis Project as requested by the Bexar County Information Technology Department; and authorizing the Purchasing Agent to execute and file the appropriate award documents for the record including appropriate budgetary transfer. (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”.



Item – 25
December 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 on a sole source

basis for the purchase of an item that can be obtained from only one source; awarding a contract to VeriPic® to provide for the purchase software licenses and installation for VeriPic Mug shot, Digital Evidence Lab, and Barcode evidence tracking systems in the amount of \$272,206.84 as requested by Bexar County Information Technology 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 Paul Elizondo, which motion was voted on as follows: Commissioners Elizondo, Wolff, Adkisson, and Judge Wolff voting “Aye”.

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Item – 26
December 14, 2010
Purchasing Department

The Court hereby ordered and approved a motion authorizing the Purchasing Agent to advertise a Request for Information (RFI) relative to gathering advice, best business practices, and strategies for best in class telecommunications infrastructure and business models that will cover all areas of communications for Bexar County Departments and Offices as requested by Bexar County Information Technology Department. (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”.

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Item – 27
December 14, 2010
Purchasing Department

The Court hereby ordered and approved a motion authorizing the Purchasing Agent to advertise a Request for Proposals to provide for the purchase of Telecommunication Services (Physical Voice, Data & Video Line/Circuits) for Bexar County Departments and Offices. (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”.

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Item – 28
December 14, 2010
Community Resources

The Court hereby ordered and approved a motion approving a request from the Medical Examiner’s Office to negotiate with a candidate for the Chief Toxicologist position (Table/Grade E-14) at a salary up to \$120,000 per annum. (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”.

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Item – 29

December 14, 2010
Community Resources

The Court hereby ordered and approved a motion ratifying a contract in the amount of \$2,972.00 for Roles & Responsibilities Training provided by Harold J. Phillips of Phillips Solutions on December 10, 2010 to the Ryan White Planning Council. (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”.



Item – 30
December 14, 2010
Community Resources

The Court hereby ordered and approved a motion approving the Management Agreement between Bexar County and the Gardendale Area Community Center for a one-year period beginning October 1, 2010 and ending September 30, 2011 in the amount of \$10,000 from the General Fund. (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”.



Item – 31
December 14, 2010
Community Resources

The Court hereby ordered and approved a motion approving execution of the Project Management Agreement between Bexar County and the City of Somerset for the Quarter Mile Walking Track Project utilizing Program Year (PY) 2010 Community Development Block Grant (CDBG) funds in the amount of \$53,000. (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”.



Item – 32
December 14, 2010
Community Venues Program

The Court hereby ordered and approved a motion approving an Interlocal Agreement between Bexar County and the City of San Antonio (“COSA”) through which Bexar County will be paid \$25,000 by COSA, representing one-half

of the total fee of \$50,000 to be paid by Bexar County to a sports business consulting firm to study the feasibility of another major league professional sports franchise moving to Bexar County and San Antonio, with Bexar County Commissioners Court approval being contingent upon the approval of this Interlocal Agreement by COSA's Council within thirty days of the Court's approval and including the appropriate budgetary transfer. (Record-agreement to be filed later)

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".



Item – 33
December 14, 2010
Economic Development

The Court hereby ordered and approved a motion approving the Tax Abatement Agreement with Con-way Freight Inc. and Setzer Properties LSX, L.L.C. for a 10-year, 40% abatement of County ad valorem taxes on qualified real and personal property. (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".



Item – 34
December 14, 2010
Economic Development

The Court hereby ordered and approved a motion approving the Tax Abatement Agreement with Kohl's Department Stores for a 6-year, 60% abatement of County ad valorem taxes on qualified real property for each phase (I and II) of the project. (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".



Item – 35
December 14, 2010
Economic Development

The Court hereby ordered and approved a motion approving the Tax Abatement with Becton, Dickinson and Company for a 10-year, 100% abatement of County ad valorem taxes on qualified personal property. (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".



Item – 36

December 14, 2010
Infrastructure Services

The Court hereby ordered and approved a motion authorizing approval to execute Final Recapitulation of Project Cost in connection with the Foster Road at Lakeview Drive Traffic Signal Project, BC 2009-020 between Bexar County and E-Z Bel Construction, LLC. The recap shows a decrease of \$1,189.20. The final construction amount is \$162,762.74. Precinct Number 4 (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”.



Item – 37
December 14, 2010
Infrastructure Services

The Court hereby ordered and approved a motion approving Amendment Number 2 in the amount of \$20,706 to the contract agreement between Bexar County and Vitetta Architects to provide design drawings for added services in connection with the Bexar County Courthouse Roof Project. (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”.



Item – 38
December 14, 2010
Infrastructure Services

The Court hereby ordered and approved a motion authorizing the County Judge to execute Amendment Number 4 to the contract between Bexar County and Carter & Burgess, Inc. to provide limited Registered Design Professional in Responsible Charge Services and Commissioning Services for the Photo-Voltaic System at the Bexar County Justice Center Expansion, in the amount of \$33,200.00. (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”.



Item – 39
December 14, 2010
Infrastructure Services

The Court hereby ordered and approved a motion approving a 6th Amendment to Lease Agreement between Bexar County, Texas and Domicilio Conocido, Inc., a Texas Corporation doing business as Registry Management

Company to increase the size of the Constable Precinct 3 office space by 1,372 square feet, bringing the overall Justice of the Peace and Constable space to 12,001 square feet at a monthly cost of \$15,501.29, located at 8918 Tesoro Drive. Precinct Number 3 (Record-agreement to be filed later)

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”.



Item – 40
December 14, 2010
Infrastructure Services

The Court hereby ordered and approved a motion authorizing the County Judge and County Commissioners to sign a Resolution requesting the Texas Transportation Commission adopt and pass an appropriate Minute Order declaring two certain properties, being a 0.126 acre tract and a 0.872 acre tract, more or less, at the north side of S. H. 16 (Bandera Rd) at Ranch Parkway, described by metes and bounds in Exhibits “A” and “B” attached hereto to be declared surplus to the needs of the State and release it from the State Highway System and that Bexar County accepts the transfer, jurisdiction and maintenance of said property. Precinct Number 2 (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”.



Item – 41
December 14, 2010
Infrastructure Services/Public Works Division

The Court hereby ordered and approved a motion approving an Award of Special Commissioners in No. 2010-ED-0001, County of Bexar vs. JB Vega Corporation, a condemnation suit for Parcels 85, 85-E-1, 85-E-2 and 85-E-3 Borgfeld Drive Improvement Project, being Parcel 85-1.492 acres of land right of way; Parcel 85-E-1- 0.034 acres of land drainage easement; Parcel 85-E-2- 0.025 acres of land drainage easement; Parcel 85-E-3-0.340 acres of land temporary construction easement, in the amount of \$152,000.00 plus court costs of \$1,995.00 for total consideration of \$153,995.00. Precinct Number 3 (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”.



Item – 42
December 14, 2010
Infrastructure Services

The Court hereby ordered and approved a motion approving a Right-of-way Improvements License Agreement between Bexar County and Babcock Road 165, Ltd. for specific landscape and right-of-way amenities to be installed within the public right-of-way in and along public streets within the Weston Oaks subdivision at no cost to

the County. (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”.



Item – 43

December 14, 2010

Infrastructure Services/Flood Control Division

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

Civil Engineering Consultants	Barbara Drive Drainage SA3 (Precinct 2)
Pape Dawson Engineers	S. New Braunfels Low Water Crossing SA8 (Precinct 1)
Bury & Partners Engineering	San Pedro Huisache Phase III SA22 (Precinct 2 &4)
Unitech Consulting Engineers, Inc.	Hausman Drainage Project Phase II LC10 (Precinct 3)
Gonzalez-De La Garza & Associates	Robert Glenn LWC MR9 (Precinct 1)
Land Design Partners Engineering	Rock Creek Phase II SA6 (Precinct 3)
San Antonio Design Group	Knoll Creek NWWC SC4 (Precinct 3)
RJ Rivera & Associates, Inc.	Bulverde and Jung Mud Creek Tributary A SC27 (Precinct 3)
Professional Engineering Design Group	Jones Maltsberger at Elm Creek SC28 (Precinct 3)

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”.



Item – 44

December 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 December 14, 2010: (Record)

<u>Subdivision</u>	<u>Street/Drain</u>
Caracol Creek, Unit 3A Plat #990394 Precinct #1	Drain “A” 156.19 lf
Caracol Creek, Unit 3B Plat #990436 Precinct #1	Drain “A” 158.32 lf
Talley GVH, Unit 1 Plat #020441 Precinct #1	Drain “C” 2,269.5

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”.



Item – 45
December 14, 2010
Planning and Resource Management

The Court hereby ordered and approved a motion approving a resolution relating to establishing the County’s intention to reimburse itself for the prior lawful expenditure of funds from the proceeds of tax-exempt obligations to be issued by the County for authorized purposes; authorizing other matters incident and related thereto; to be effective December 14, 2010. (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”.



Item – 46
December 14, 2010
Planning and Resource Management

The Court hereby ordered and approved a motion authorizing the renewal of a Professional Services Agreement with Patton Boggs LLP for federal legislative services, not to exceed \$180,000 annually, beginning January 1, 2011 and expiring December 31, 2011. (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”.



Item – 47
December 14, 2010
Planning and Resource Management

The Court hereby ordered and approved a motion approving a one-year renewal of the contract between Bexar County and McGriff, Seibels & Williams of Texas, Inc. for management of the County’s comprehensive insurance services for an annual amount not to exceed \$143,000, effective November 1, 2010 through October 31, 2011. (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”.



Item – 48
December 14, 2010
Planning and Resource Management

The Court hereby ordered and approved a motion approving an agreement with Hyatt Legal Plans for a voluntary Legal Benefit Plan for a three-year period beginning January 1, 2011 and ending December 31, 2013 at no cost or liability to the County. (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”.



Item – 49
December 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
Library Services	BT11-35	\$176,067	Undesignated Funds (9400)	Library Services (5205)
PRM	BT11-42	\$1,778,842	Salary Adjustments (9302)	Salary Regular (0110)
Animal Care Services	BT11-39	\$35,000	Undesignated Funds (9400)	Vehicles (8650)
PRM	BT10-289	\$228,167	Appropriated Fund Balance (9450)	Statement and Transcripts (4427) - \$15,992; Court Costs (3620) - \$22,318; Postage (2820) - \$25,162; Telephone Usage (2810) - \$31,767; Transfers to Law Library (9612) - \$132,928

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”.



Item – 6
December 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. First Amendment to Construction Manager at Risk Agreement with Journeyman Construction and Bexar County, Texas approved October 5, 2010.

- b. Bexar County Criminal District Attorney, Equitable Sharing Agreement and Certification, Annual Certification Report.
- c. Bexar County Constable Pct. 3, FY2010 Chapter 59 Asset Forfeiture Report by Law Enforcement Agency.
- d. Letter to Nelson Wolff, Bexar County Judge from David Kilcrease, President Deputy Sheriff's Association of Bexar County, Re: Request for Arbitration-Deputy Alvarado.
- e. Notice of claim regarding Property Damage submitted by Mary Terrell, 26835 Nelson Hill, Boerne, Texas 78006.
- f. U.S. District-Civil Action No.SA-10-CA-0305, Re: Plaintiff's Rule 57(3) Motion to Amend Judgment, entitled Robert Lee Gill, Jr. vs Sheriff Joe Lopez and Bexar County, et al.
- g. Summons in a Civil Action - U.S. District Court – Michael Lee Castilla #572301 v. County of Bexar, et al.
- h. Letter to Judge Nelson Wolff submitted by Kirk R. Williams and Arthur J. Anderson, WINSTEAD, P.C., on behalf of their client, Continental Homes of Texas, L.P. in connection with development approvals and permits for three Continental subdivisions: Wildhorse, Alamo Ranch and Tausch Farms.
- i. Notice of Citation directed to County of Bexar by serving County Judge the Honorable Nelson W. Wolf, Re: Dominick Colombrito vs. County of Bexar.



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



Item – 7
December 14, 2010
Commissioners Court

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

Andrew Lopez – item 60 Alex Quintanilla – item 60
 Faris Hodge Jr.



Item – 57
December 14, 2010
Community Resources

The Court hereby ordered and approved a motion approving the Management Agreement between Bexar County and the Center for Health Care Services to provide mental health services for a one-year period beginning October 1, 2010, and ending on September 30, 2011, in the amount of \$1,250,000 from the General Fund.

A motion was presented by County Commissioner Paul Elizondo, duly seconded by County Commissioners Sergio "Chico" Rodriguez and Kevin Wolff, which motion was voted on as follows: Commissioners

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



Item – 56
December 14, 2010
Community Venues Program

The Court hereby ordered and approved a motion authorizing the Bexar County Community Venue Programs Office to enter into contract negotiations with San Antonio Sports to provide operational and maintenance oversight of the amateur sports venue projects on an annual basis with the contract to be presented to Commissioners Court for approval. (Record)

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



Item – 61
December 14, 2010
Infrastructure Services

The Court hereby ordered and approved a motion tabling action regarding approval of an Order prohibiting the sale or use of restricted fireworks effective on the date of adoption of the Order. (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, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 4b
December 14, 2010
Commissioners Court

The Court hereby ordered and approved a motion adopting the proposed budget for the Bexar County Hospital District d/b/a University Health System’s in support of its Operating, Debt Service and Capital Budgets requirements for fiscal year 2011. (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, Wolff, Adkisson, and Judge Wolff voting “Aye”.



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



Item – 58
December 14, 2010
Economic Development

The Court hereby ordered and approved a motion approving the County of Bexar Tax Abatement Guidelines for FY 2011-2012. (Record)

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

The Court hereby ordered and approved a motion directing staff to return to Commissioners Court with amended guidelines on January 4, 2011 for court approval.

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

♦♦

County Judge Nelson W. Wolff returned to the meeting at this time.
County Commissioner Kevin Wolff left the meeting at this time.

♦♦

Item – 59
December 14, 2010
Planning and Resource Management

The Court hereby ordered and approved a motion establishing a Citizen Task Force composed of seven members on Indigent Defense and nominating the follow five (5) individuals to serve as members of the Citizen Task Force on Indigent Defense: (Record)

Tom Stolhandski, Chair	Robert William “Bill” Piatt
David Christian	Bud Ritenour
Bernie Martinez	

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 Wolff returned to the meeting at this time.

♦♦

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. Alex Moore v. Bexar County;
 - ii. Bexar County v. Bexar County Democratic Party.

3:40 p.m.



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

3:50 p.m.



A motion for adjournment was presented by County Commissioner Sergio "Chico" Rodriguez, duly seconded by County Commissioner Tommy Adkisson, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, 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 Arden Ann Specia-Spencer, Troy Dana Groomer, Joyce Sekinger, Walter D. Scott Jr., Roberto Puente, Kenneth Fleenor, and Maria Gonzalez* until Tuesday, January 4, 2011 at 11:00 a.m.

3:50 P.M.

NELSON W. WOLFF, COUNTY JUDGE
BEXAR COUNTY, TEXAS

ATTEST:

GERARD RICKHOFF, COUNTY CLERK
BEXAR COUNTY, TEXAS