

ORDERS OF COMMISSIONERS COURT
BEXAR COUNTY, TEXAS

TUESDAY, NOVEMBER 19, 2002

Work Session was called to order by County Commissioner Robert Tejada at 9:13 a.m.

Present at roll-call:

Robert Tejada, County Commissioner Precinct No. 1,
Paul Elizondo, County Commissioner Precinct No. 2 (Presiding Officer),
Lyle Larson, County Commissioner Precinct No. 3,
Tommy Adkisson, County Commissioner Precinct No. 4,
Susan D. Reed, District Attorney (Rep. by Ed Schwening),
Charles Eads, Purchasing Agent,
Frankie McKnight, County Auditor (Rep. by Larry Wallis),
David J. Morgan, Chief Information Officer,
S. Marcus Jahns, Executive Director - Planning & Resource
Management/Budget Officer,
Jose E. Castillo, Executive Director - Housing and Human Services,
Gabriel Perez, Executive Director - Infrastructure Services,
Gerry Rickhoff, County Clerk (Rep. by Rose Lynn French),

when the following proceedings were had to-wit:

COUNTY JUDGE NELSON W. WOLFF IS EXCUSED FROM
TODAY'S MEETING. HE IS IN AUSTIN ATTENDING TO
COUNTY BUSINESS.

COMMISSIONERS COURT - ITEM 12
INFRASTRUCTURE SERVICES DEPARTMENT
DISCUSSION WAS HELD REGARDING THE PROPOSED
REGIONAL CORRIDOR PLAN CURRENTLY IN PROGRESS
UNDER THE DIRECTION OF THE METROPOLITAN
PLANNING ORGANIZATION (MPO). (RECORD)

NO ACTION WAS TAKEN.

COMMISSIONERS COURT - ITEM 13
INFRASTRUCTURE SERVICES DEPARTMENT
ORDER DIRECTING STAFF TO INITIATE THE PROCESS FOR
REQUEST FOR QUALIFICATION (RFQ) FOR
ENVIRONMENTAL SERVICES RELATED TO A STUDY FOR
MENGER CREEK AND GIVING DIRECTION TO STAFF TO
EITHER WORK WITHIN THE RESOURCES OF THE
INFRASTRUCTURE SERVICES DEPARTMENT OR WORK
WITH THE SAN ANTONIO RIVER AUTHORITY TO PROCURE
THE SERVICES.

A motion was presented by County Commissioner Tommy Adkisson, duly seconded by County
Commissioner Robert Tejada, which motion was voted on as follows: Commissioners Tejada,

Elizondo, Larson and Adkisson voting "Aye". It is ordered by the Court that staff, be and hereby is, directed to initiate the process for RFQ for environmental services related to a study for Menger Creek and giving direction to staff to either work within the resources of the Infrastructure Services Department or work with the San Antonio River Authority to procure the services.

COMMISSIONERS COURT - ITEM 1.4A
INFRASTRUCTURE SERVICES DEPARTMENT

A MOTION WAS PRESENTED BY COUNTY COMMISSIONER TOMMY ADKISSON, DULY SECONDED BY COUNTY COMMISSIONER ROBERT TEJEDA, TO AUTHORIZE THE GABRIEL PEREZ, EXECUTIVE DIRECTOR OF INFRASTRUCTURE SERVICES, TO SIGN AN AGREEMENT ENGAGING JOHNSON CONTROLS TO PERFORM A PRELIMINARY ENERGY AUDIT OF CERTAIN BEXAR COUNTY FACILITIES; COMPARE RESULTS FROM JOHNSON CONTROLS TO THE ENERGY SERVICE COMPANY (ESCO) CONTRACTOR AUDIT AND IF SAVINGS CAN BE ACHIEVED, PROCEED WITH THE PERFORMANCE CONTRACT.

AN AMENDMENT TO THE MOTION WAS PRESENTED BY COUNTY COMMISSIONER LYLE LARSON, DULY SECONDED BY COUNTY COMMISSIONER ROBERT TEJEDA, TO DIRECT WADE OLDHAM, FACILITIES MAINTENANCE MANAGER, TO RESEARCH THE REPRESENTATIONS MADE BY CITY PUBLIC SERVICE (CPS) TO THE BEXAR COUNTY CAPITAL IMPROVEMENT (CIP) COMMITTEE THAT BEXAR COUNTY WAS RECEIVING THE BEST UTILITY RATE; IF THIS IS NOT THE CASE THEN THE COUNTY SHOULD PURSUE A RETROACTIVE REPAY FROM CITY PUBLIC SERVICE. (RECORD)

VOTING ON THE AMENDED MOTION WAS AS FOLLOWS:
COMMISSIONERS TEJEDA, ELIZONDO, LARSON AND ADKISSON VOTING "AYE."

IT IS ORDERED BY THE COURT THAT GABRIEL PEREZ, EXECUTIVE DIRECTOR OF INFRASTRUCTURE SERVICES BE, AND HEREBY IS, AUTHORIZED TO SIGN AN AGREEMENT ENGAGING JOHNSON CONTROLS TO PERFORM A PRELIMINARY ENERGY AUDIT OF CERTAIN BEXAR COUNTY FACILITIES; COMPARE RESULTS FROM JOHNSON CONTROLS TO THE ENERGY SERVICE COMPANY (ESCO) CONTRACTOR AUDIT AND IF SAVINGS CAN BE ACHIEVED, PROCEED WITH THE PERFORMANCE CONTRACT AND DIRECTING WADE OLDHAM, FACILITIES MAINTENANCE MANAGER, TO RESEARCH THE REPRESENTATIONS MADE BY CITY PUBLIC SERVICE TO THE BEXAR COUNTY CAPITAL IMPROVEMENT (CIP) COMMITTEE THAT BEXAR COUNTY WAS RECEIVING THE

BEST UTILITY RATE ; IF THIS IS NOT THE CASE THEN THE COUNTY SHOULD PURSUE A RETROACTIVE REPAY FROM CITY PUBLIC SERVICE . (RECORD)

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COMMISSIONERS COURT - ITEM 1.4B
INFRASTRUCTURE SERVICES DEPARTMENT / FLEET
MAINTENANCE
ORDER DIRECTING STAFF TO PURSUE THE USE OF
ULTRA-LOW SULFUR DIESEL BEGINNING MARCH 2003
AND TO REVIEW RESULTS FROM THE VALERO TEST AT
SOUTHWEST RESEARCH . (RECORD)

A motion was presented by County Commissioner Tommy Adkisson, duly seconded by County Commissioner Robert Tejada, which motion was voted on as follows: Commissioners Tejada, Elizondo, Larson and Adkisson voting "Aye". It is ordered by the Court that staff be, and hereby is, directed to pursue the use of ultra-low sulfur diesel beginning March 2003 and to review results from the Valero Test at Southwest Research.

COMMISSIONERS COURT - ITEM 1.4C
INFRASTRUCTURE SERVICES DEPARTMENT / FACILITIES
MAINTENANCE DIVISION
DISCUSSION WAS HELD REGARDING THE PROPOSED
CHANGES TO BEXAR COUNTY ADMINISTRATIVE
POLICY 45 - ENERGY POLICY (APPROVED MAY 5, 1999).
(RECORD)

NO ACTION WAS TAKEN .

— COMMISSIONERS COURT - ITEM 1.5
ORDER APPROVING EXTENSION OF THE CURRENT
INSURANCE PLANS, WITH NO CHANGE IN THE PLAN
RATES OR BENEFITS STRUCTURE, THROUGH FEBRUARY
28, 2003 AND DIRECTING STAFF TO NEGOTIATE WITH
COMMUNITY FIRST AND TOWER LIFE FOR THIS
EXTENSION . (RECORD)

A motion was presented by County Commissioner Lyle Larson, duly seconded by County Commissioner Robert Tejada, which motion was voted on as follows: Commissioners Tejada, Elizondo, Larson and Adkisson voting "Aye". It is ordered by the Court that extension of the current insurance plans, with no change in the plan rates or benefits structure, through February 28, 2003 be, and hereby is, approved and staff is directed to negotiate with Community First and Tower Life for this extension.

COUNTY COMMISSIONER TOMMY ADKISSON LEFT THE
MEETING AT THIS TIME .

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COMMISSIONERS COURT - ITEM 1.6

PLANNING AND RESOURCE MANAGEMENT DEPARTMENT
ORDER APPROVING THE PERFORMANCE REVIEWS AND
SPECIAL PROJECTS IN THE PLANNING AND RESOURCE
MANAGEMENT WORK PLAN FOR FY 2002-03 WITH THE
EXCEPTION OF (1) BEXAR COUNTY PRESS KIT; (2) BEXAR
COUNTY GUIDE; AND (3) BEXAR COUNTY POCKET GUIDE.
(RECORD)

A motion was presented by County Commissioner Robert Tejada, duly seconded by County
Commissioner Lyle Larson, which motion was voted on as follows: Commissioners Tejada, Elizondo
and Larson voting "Aye". It is ordered by the Court that the Performance Reviews and Special Projects
in the Planning and Resource Management Work Plan for FY 2002-03 be, and hereby is, approved
with the above exceptions.

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COMMISSIONERS COURT RECESSED AT THIS TIME.

12:00 P M .

—COMMISSIONERS COURT RECONVENED AT THIS TIME.

COUNTY COMMISSIONER TOMMY ADKISSON WAS
PRESENT.

2:00 P M .

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COMMISSIONERS COURT - ITEM 1.7
HOUSING AND HUMAN SERVICES DEPARTMENT
DISCUSSION WAS HELD REGARDING PRE-TRIAL
SERVICES UPDATE.

NO ACTION WAS TAKEN.

— COMMISSIONERS COURT - ITEM 1.8
ORDER APPROVING THE CREATION, STAFFING AND
BUDGET FOR THE DIVISION OF CHILDREN'S SERVICES,
UNDER THE AUSPICES OF THE HOUSING AND HUMAN
SERVICES DEPARTMENT; DECLARING THE POSITION OF
EXECUTIVE DIRECTOR, DIVISION OF CHILDREN'S
SERVICES, SENSITIVE FOR THE PURPOSE OF EXEMPTION
FROM CIVIL SERVICE, SUBJECT TO APPROVAL OF THE
PERSONNEL DIVISION OF PAY GRADE AND JOB
DESCRIPTION AND APPROVING THE APPROPRIATE
BUDGETARY TRANSFER. (RECORD)

A motion was presented by County Commissioner Robert Tejada, duly seconded by County
Commissioner Lyle Larson, which motion was voted on as follows: Commissioners Tejada, Elizondo,
Larson and Adkisson voting "Aye". It is ordered by the Court that creation, staffing and budget for the
Division of Children's Services, under the auspices of the Housing and Human Services Department
be, and hereby is, approved and the position of Executive Director, Division of Children's Services, is
declared sensitive for the purposes of exemption from Civil Services, subject approval of the Personnel
Division and the appropriate budgetary transfer is approved.

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:

LULAC V BEXAR COUNTY

(B) 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 :

CREATION OF A BEXAR COUNTY RURAL RAIL TRANSPORTATION DISTRICT.

3:55 PM .

—COMMISSIONERS COURT RETURNED TO OPEN SESSION AT THIS TIME AND THE FOLLOWING ACTION WAS TAKEN .

4:20 PM .

There being no further business the Commissioners Court Work Session adjourned at 4:20 p.m .

NELSON W .W OLFF ,COUNTY JUDGE
BEXAR COUNTY ,TEXAS

ATTEST : GERRY RICKHOFF
COUNTY CLERK
BEXAR COUNTY ,TEXAS

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