

ORDERS OF COMMISSIONERS COURT  
BEXAR COUNTY, TEXAS

TUESDAY, FEBRUARY 10, 2004

Court met at 9:10 a.m.

A Regular Meeting in Regular Term of Commissioners Court of Bexar County, Texas.

Present at roll-call:

Nelson W. Wolff, County Judge,  
Robert Tejeda, County Commissioner Precinct No. 1,  
Paul Elizondo, County Commissioner Precinct No. 2,  
Lyle Larson, County Commissioner Precinct No. 3,  
Tommy Adkisson, County Commissioner Precinct No. 4,  
Susan D. Reed, District Attorney (Rep. by Kelsey Menzel),  
Mary Quiones, Interim Purchasing Agent,  
Tommy J. Tompkins, County Auditor,  
David J. Morgan, Executive Director - Electronic Voting System Project,  
David Marquez, Chief Operating Officer - Information Services Department,  
S. Marcus Jahns, Executive Director - Planning & Resource Management  
Department/Budget Officer,  
Jose E. Castillo, Executive Director - Housing and Human Services  
Department,  
Gabriel Perez, Executive Director - Infrastructure Services Department,  
Gerry Rickhoff, County Clerk (Rep. by Rose Lynn French),

when the following proceedings were had to-wit:

MONTESSORI 2004 GRADUATES OF MT. SACRED HEART  
GAVE THE INVOCATION AT TODAY'S MEETING. COUNTY  
COMMISSIONER PAUL ELIZONDO LED THE PLEDGE OF  
ALLEGIANCE.

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A LETTER OF CONDOLENCE IS TO BE SENT TO THE FAMILY  
OF BARBARA BROWN TURNER CARPENTER EXPRESSING TO  
THEM THE SYMPATHY OF THE COURT ON THE LOSS OF  
THEIR LOVED ONE. SHE WAS THE BELOVED WIFE OF  
RUEBEN A. CARPENTER, JR., RETIRED MASTER SERGEANT,  
U.S. ARMY. MRS. CARPENTER TRAVELED EXTENSIVELY  
WITH HER HUSBAND DURING HIS MILITARY CAREER AND  
OFTEN TIMES HELD THE POSITION OF PRESIDENT OF THE  
NONCOMMISSIONED OFFICER (NCO) WIVES CLUB AT  
VARIOUS INSTALLATIONS. MRS. CARPENTER HAD A  
SPECIAL CALLING TO SERVE OTHERS, WITHOUT EVER A  
THOUGHT FOR HERSELF. SHE IS SURVIVED BY HER  
HUSBAND OF 28 YEARS, RUEBEN; SONS, RAYMOND  
KENNARD AND RONALD TURNER AND MANY OTHER  
RELATIVES AND FRIENDS.

A LETTER OF CONDOLENCE IS TO BE SENT TO THE FAMILY OF RICHARD JOE SALINAS EXPRESSING TO THEM THE SYMPATHY OF THE COURT ON THE LOSS OF THEIR LOVED ONE. MR. SALINAS WAS A PROUD VIETNAM VETERAN. HE IS SURVIVED BY HIS DAUGHTERS, OLGA MARIE MONTANA, STEPHANIE ROSE SALINAS, JENNIFER MICHELLE SALINAS, CELESTE MARIE CAMPOS; FATHER WILLIAM C. SALINAS; SISTER, AURORA MARTINEZ; GRANDCHILDREN; NIECE; NEPHEW; GREAT-NIECES AND NEPHEWS.

A LETTER OF CONDOLENCE IS TO BE SENT TO THE FAMILY OF MARY MARTINEZ EXPRESSING TO THEM THE SYMPATHY OF THE COURT ON THE LOSS OF THEIR LOVED ONE. MRS. MARTINEZ RETIRED FROM KELLY AFB AFTER 30 YEARS OF SERVICE. SHE IS SURVIVED BY HER DAUGHTER, MARY ALICE DE LOS SANTOS; SON GILBERT RAUL CISNEROS; TWO GRANDDAUGHTERS; 1 GRANDSON AND FIVE GREAT-GRANDCHILDREN; BROTHER, ROBERT H. GARCIA; NUMEROUS NIECES AND NEPHEWS.

COMMISSIONERS COURT WILL ADJOURN TODAY'S MEETING IN HONOR AND MEMORY OF:

***BARBARA BROWN TURNER CARPENTER***

***RICHARD JOE SALINAS***

***MARY MARTINEZ***

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COMMISSIONERS COURT - ITEM 8  
ORDER APPROVING THE APPOINTMENT OF ALFRED A. CORTEZ, BY COUNTY COMMISSIONER TOMMY ADKISSON, TO THE BEXAR COUNTY DISPUTE RESOLUTION CENTER ADVISORY BOARD FOR A TWO (2) YEAR TERM TO BEGIN FEBRUARY 10, 2004 AND EXPIRE FEBRUARY 10, 2006. (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, Adkisson and Judge Wolff voting "Aye". It is ordered by the Court that the appointment of Alfred A. Cortez to the Dispute Resolution Center Advisory Board for a 2 year term to begin February 10, 2004 and expire February 10, 2006 be, and hereby is, approved.

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COMMISSIONERS COURT - ITEM 9  
ORDER APPROVING THE APPOINTMENT OF JESSE MORENO,  
BY COUNTY COMMISSIONER PAUL ELIZONDO, TO THE  
BEXAR COUNTY DISPUTE RESOLUTION CENTER ADVISORY  
BOARD FOR A TWO (2) YEAR TERM TO BEGIN UPON  
APPOINTMENT AND EXPIRE DECEMBER 31, 2005. (RECORD)

A motion was presented by County Commissioner Lyle Larson, duly seconded by County Commissioner Robert Tejeda, which motion was voted on as follows: Commissioners Tejeda, Elizondo, Larson, Adkisson and Judge Wolff voting "Aye". It is ordered by the Court that the appointment of Jesse Moreno to the Dispute Resolution Center Advisory Board for a 2 year term to begin upon appointment and expire December 31, 2005 be, and hereby is, approved.

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COMMISSIONERS COURT - ITEM 10  
COUNTY COURT-AT-LAW NO. 7  
ORDER RATIFYING SUBMISSION OF A GRANT APPLICATION  
TO THE TEXAS GOVERNOR'S OFFICE, CRIMINAL JUSTICE  
DIVISION'S FY 2005 STATE CRIMINAL JUSTICE PLANNING  
(421) FUND AND EXECUTION OF A RESOLUTION FOR A  
PROJECT ENTITLED **SPECIALIZATION OF DOMESTIC  
VIOLENCE COURT** IN THE AMOUNT OF \$122,599, WITH NO  
COUNTY CASH MATCH, AND A GRANT TERM FROM  
SEPTEMBER 1, 2004 TO AUGUST 31, 2005, AND ACCEPTANCE  
OF FUNDS, IF AWARDED. (RECORD)

A motion was presented by County Commissioner Lyle Larson, duly seconded by County Commissioner Robert Tejeda, which motion was voted on as follows: Commissioners Tejeda, Elizondo, Larson, Adkisson and Judge Wolff voting "Aye". It is ordered by the Court that submission of a grant application to CJD FY 2005 State Criminal Justice Planning Fund and execution of a resolution for the above project in the amount of \$122,599, with no County cash match and a grant term from September 1, 2004 to August 31, 2005 and acceptance of funds, if awarded be, and hereby is, ratified.

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COMMISSIONERS COURT - ITEM 11  
TAX ASSESSOR-COLLECTOR  
ORDER APPROVING REQUEST FOR WAIVER OF PENALTY  
AND INTEREST ON ACCOUNT 14203-011-0080, GORDON F. &  
DOROTHY F. CARMICHAEL, FOR TAX YEAR 2002 IN  
ACCORDANCE WITH SECTION 33.011 OF THE TEXAS  
PROPERTY TAX CODE. REASON FOR APPROVAL: DEED WAS  
TRANSFERRED INCORRECTLY AND THERE WAS AN  
ADMINISTRATIVE ERROR ON THE APPRAISAL DISTRICT  
RECORDS. (RECORD)

A motion was presented by County Commissioner Lyle Larson, duly seconded by County Commissioner Robert Tejeda, which motion was voted on as follows: Commissioners Tejeda, Elizondo, Larson, Adkisson and Judge Wolff voting "Aye". It is ordered by the Court that the request for waiver of P&I on the above account be, and hereby is, approved.

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COMMISSIONERS COURT - ITEM 12  
COUNTY AUDITOR  
ACCOUNTS APPROVED AND CHECKS ORDERED DRAWN  
TOTALING: (RECORD)

\$8,967,206.25 (CHECKS PRINTED FEBRUARY 4, 2002)  
\$3,837,400.97 (CHECKS PRINTED FEBRUARY 10, 2004)

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, Adkisson and Judge Wolff voting "Aye". It is ordered by the Court that the lists of bills be, and hereby are, approved.

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COMMISSIONERS COURT - ITEM 13  
COUNTY AUDITOR  
ORDER AUTHORIZING PAYMENT OF BILLS THROUGH  
FEBRUARY 20, 2004. (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, Adkisson and Judge Wolff voting "Aye". It is ordered by the Court that the County Auditor be, and hereby is, authorized to pay bills through February 20, 2004. The detailed list of bills paid will be submitted to the Court on February 24, 2004.

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COMMISSIONERS COURT - ITEM 14  
COUNTY AUDITOR  
ORDER AUTHORIZING PAYMENT OF PAYROLLS AND AUTO  
ALLOWANCES TO BE PAID FEBRUARY 13, 2004. (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, Adkisson and Judge Wolff voting "Aye". It is ordered by the Court that the payment of payrolls and auto allowances to be paid February 13, 2004 be, and hereby is, approved. The transfer of funds will be included on the list of bills for approval on February 24, 2004.

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COMMISSIONERS COURT - ITEM 15  
PURCHASING DEPARTMENT  
ORDER AWARDED BID RECEIVED ON TRANSPORTATION OF  
ELECTION EQUIPMENT FOR THE ELECTIONS DEPARTMENT  
TO ALL SEASONS MOVING & STORAGE IN THE ESTIMATED  
AMOUNT OF \$64,365.36 AND AUTHORIZING THE  
PURCHASING AGENT TO EXECUTE AND FILE APPROPRIATE  
AWARD DOCUMENTS FOR RECORD. (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, Adkisson and Judge Wolff voting "Aye". It is ordered by the Court that the bid received on Transportation of Election Equipment be, and hereby is, awarded to All Seasons Moving & Storage in the estimated amount of \$64,365.36 and the Purchasing Agent is authorized to execute and file appropriate award documents for record.

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COMMISSIONERS COURT - ITEM 16

HOUSING & HUMAN SERVICES DEPARTMENT  
 ORDER APPROVING APPOINTMENT OF THE FOLLOWING  
 BUSINESS NOMINEES TO THE ALAMO WORKFORCE  
 DEVELOPMENT BOARD (AWDB) WITH THE STARTING AND  
 ENDING DATES AS SHOWN BELOW: (RECORD)

<u>NAME</u>	<u>TITLE/ AGENCY</u>	<u>TERM</u>
<b>RICHARD GONZALEZ</b>	<b>C.E.O-SOUTHWEST GENERAL HOSPITAL</b>	<b>01/02/04- 12/31/06</b>
<b>JOHN E. CURRAN, III</b>	<b>PRESIDENT/OWNER PERSONET</b>	<b>02/01/04- 12/31/04</b>

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, Adkisson and Judge Wolff voting "Aye". It is ordered by the Court that appointment of the above business nominees to the AWDB with starting and ending dates as shown above be, and hereby is, approved.

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 COMMISSIONERS COURT - ITEM 17  
 INFRASTRUCTURE SERVICES DEPARTMENT  
 ORDER APPROVING REVIVAL OF, AND AMENDMENT TO,  
 RADIO COMMUNICATION LICENSE AGREEMENT BETWEEN  
 BEXAR COUNTY AND THE BEXAR METROPOLITAN WATER  
 DISTRICT EXTENDING THE TERM OF THE AGREEMENT AND  
 AUTHORIZING THE ISSUANCE OF THE NOTICE TO  
 TERMINATE THE SAME EFFECTIVE MARCH 11, 2004.  
 (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, Adkisson and Judge Wolff voting "Aye". It is ordered by the Court that the Revival of, and Amendment to, Radio Communications License Agreement between Bexar County and the Bexar Metropolitan Water District extending the term of the agreement be, and hereby is, approved and authorizing the issuance of the notice to terminate the same effective March 11, 2004.

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 COMMISSIONERS COURT - ITEM 18  
 INFRASTRUCTURE SERVICES DEPARTMENT  
 ORDER AUTHORIZING THE COUNTY JUDGE TO EXECUTE  
 CHANGE ORDER NO. 1 TO THE CONTRACT BETWEEN BEXAR  
 COUNTY AND THE TEXAS DEPARTMENT OF  
 TRANSPORTATION (TXDOT) FOR THE CRESTWAY PROJECT  
 (CSJ:0915-12-355) (PRECINCT NO. 4). (RECORD-CHANGE  
 ORDER WILL BE FILED AT LATER DATE)

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, Adkisson and Judge Wolff voting "Aye". It is ordered by the Court that the County Judge be, and hereby is, authorized to execute Change Order No. 1 to the contract between Bexar County and TxDOT for the Crestway Project.

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 COMMISSIONERS COURT - ITEM 19

INFRASTRUCTURE SERVICES DEPARTMENT  
ORDER AUTHORIZING THE COUNTY JUDGE TO EXECUTE  
CHANGE ORDER NO. 2 TO THE CONTRACT BETWEEN BEXAR  
COUNTY AND THE TEXAS DEPARTMENT OF  
TRANSPORTATION (TXDOT) FOR THE CRESTWAY PROJECT  
(CSJ:0915-12-355) (PRECINCT NO. 4). (RECORD-CHANGE  
ORDER WILL BE FILED AT LATER DATE)

A motion was presented by County Commissioner Lyle Larson, duly seconded by County Commissioner Robert Tejeda, which motion was voted on as follows: Commissioners Tejeda, Elizondo, Larson, Adkisson and Judge Wolff voting "Aye". It is ordered by the Court that the County Judge be, and hereby is, authorized to execute Change Order No. 2 to the contract between Bexar County and TxDot for the Crestway Project.

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COMMISSIONERS COURT - ITEMS 20 & 25  
INFRASTRUCTURE SERVICES DEPARTMENT  
ORDER APPROVING THE FOLLOWING SUBDIVISION PLATS  
LOCATED INSIDE THE ETJ OF THE CITY OF SAN ANTONIO,  
SUBJECT TO ALL COUNTY REGULATIONS. (RECORD)

**PRECINCT NO. 1**

**ESTABLISHING MT. OLIVE LUTHERAN CHURCH IIA  
(OWNER: MT. OLIVE LUTHERAN CHURCH, LOCATED  
SOUTHEAST OF LOOP 1604 AND MARBACH ROAD)**

**PRECINCT NO. 4**

**ESTABLISHING WINDMILL HEIGHTS SUBDIVISION  
(OWNER: HI-WAY ONE STOP, INC., LOCATED SOUTHWEST  
OF HIGHWAY 87 AND FM 3465)**

A motion was presented by County Commissioner Lyle Larson, duly seconded by County Commissioner Robert Tejeda, which motion was voted on as follows: Commissioners Tejeda, Elizondo, Larson, Adkisson and Judge Wolff voting "Aye". It is ordered by the Court that the above subdivision plats be, and hereby are, approved subject to all County Regulations.

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COMMISSIONERS COURT - ITEM 21  
INFRASTRUCTURE SERVICES DEPARTMENT/PUBLIC WORKS  
DIVISION  
ORDER RESCINDING COMMISSIONERS COURT ORDER  
DATED DECEMBER 2, 2003, AUTHORIZING THE PURCHASE  
FROM VICTOR ESCOBEDO OF A TRACT OF LAND FOR RIGHT  
OF WAY PURPOSES FOR THE IMPROVEMENT OF  
APPLEWHITE ROAD NORTH IN BEXAR COUNTY (PRECINCT  
NO. 1). (RECORD)

A motion was presented by County Commissioner Lyle Larson, duly seconded by County Commissioner Robert Tejeda, which motion was voted on as follows: Commissioners Tejeda, Elizondo, Larson, Adkisson

and Judge Wolff voting "Aye". It is ordered by the Court that the Commissioners Court Order dated December 2, 2003, authorizing the purchase from Victor Escobedo of a tract of land for right of way purposes for the improvement of Applewhite Road North be, and hereby is, rescinded.

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COMMISSIONERS COURT - ITEM 22  
INFRASTRUCTURE SERVICES DEPARTMENT/PUBLIC WORKS  
DIVISION  
ORDER AUTHORIZING THE PURCHASE FROM VICTOR  
ESCOBEDO, JUAN A. AND ELOISA A. BASS OF A TRACT OF  
LAND FOR RIGHT OF WAY PURPOSES FOR THE  
IMPROVEMENT OF APPLEWHITE ROAD NORTH IN BEXAR  
COUNTY (PRECINCT NO. 1). TOTAL CONSIDERATION: \$7,220.  
(RECORD)

A motion was presented by County Commissioner Lyle Larson, duly seconded by County Commissioner Robert Tejeda, which motion was voted on as follows: Commissioners Tejeda, Elizondo, Larson, Adkisson and Judge Wolff voting "Aye". It is ordered by the Court that the purchase from Victor Escobedo, Juan A. and Eloisa A. Bass be, and hereby is, authorized.

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COMMISSIONERS COURT - ITEM 23  
INFRASTRUCTURE SERVICES DEPARTMENT  
ORDER APPROVING AND AUTHORIZING THE EXECUTION OF  
A 25-FOOT WASTEWATER COLLECTION/RECLAIMED WATER  
DISTRIBUTION SYSTEM EASEMENT TO CIBOLO CREEK  
MUNICIPAL AUTHORITY OVER AND ACROSS A STRIP OF  
PROPERTY ON THE NORTHERN END OF THE LAKEWOOD  
ACRES PROPERTY (PRECINCT NO. 4). (RECORD)

A motion was presented by County Commissioner Lyle Larson, duly seconded by County Commissioner Robert Tejeda, which motion was voted on as follows: Commissioners Tejeda, Elizondo, Larson, Adkisson and Judge Wolff voting "Aye". It is ordered by the Court that execution of a 25-foot Wastewater Collection/Reclaimed Water Distribution System Easement to Cibolo Creek Municipal Authority over and across a strip of property on the northern end of the Lakewood Acres property be, and hereby is, approved and authorized.

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COMMISSIONERS COURT - ITEM 24  
INFRASTRUCTURE SERVICES DEPARTMENT/PUBLIC WORKS  
DIVISION  
ORDER AUTHORIZING THE COUNTY JUDGE TO EXECUTE A  
RELEASE OF LIEN FOR THE PROPERTY LOCATED IN MOBIL  
CITY ESTATES SUBDIVISION, LOT 10, BLOCK A, COUNTY  
BLOCK 4760A; OWNERS: DOROTHY AND LARRY FITZSIMON.  
(RECORD)

A motion was presented by County Commissioner Lyle Larson, duly seconded by County Commissioner Robert Tejeda, which motion was voted on as follows: Commissioners Tejeda, Elizondo, Larson, Adkisson and Judge Wolff voting "Aye". It is ordered by the Court that the County Judge be, and hereby is, authorized to execute a Release of Lien as stated above.

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COMMISSIONERS COURT - ITEM 26

INFRASTRUCTURE SERVICES DEPARTMENT/PUBLIC WORKS  
DIVISION  
ORDER RESCINDING COMMISSIONERS COURT ORDER  
DATED DECEMBER 16, 2003, ESTABLISHING THE  
FOLLOWING LOCATIONS AS STOP ZONES: (RECORD)

**PRECINCT NO. 3**

**TANGER COURT AT INTERSECTION WITH STARLING  
HILL**

**ROCK DOVER ROAD AT INTERSECTION WITH STARLING  
HILL**

**STARLING HILL AT INTERSECTION WITH MEADOWLARK  
BAY**

A motion was presented by County Commissioner Lyle Larson, duly seconded by County Commissioner Robert Tejeda, which motion was voted on as follows: Commissioners Tejeda, Elizondo, Larson, Adkisson and Judge Wolff voting "Aye". It is ordered by the Court that the Commissioners Court Order dated December 16, 2003 establishing the above locations as stop zones be, and hereby is, rescinded.

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COMMISSIONERS COURT - ITEM 27  
INFRASTRUCTURE SERVICES DEPARTMENT/PUBLIC WORKS  
DIVISION  
ORDER ESTABLISHING THE FOLLOWING STOP ZONES:  
(RECORD)

**PRECINCT NO. 2**

**DRAKE CANYON AT INTERSECTION WITH LIBERTY  
FIELD**

**ESCADA CREST AT INTERSECTION WITH LIBERTY FIELD**

**GRAMERCY CREST AT INTERSECTION WITH LIBERTY  
FIELD**

**BUTTERFLY FLAT AT INTERSECTION WITH LIBERTY  
FIELD**

**DUELING OAK AT INTERSECTION WITH LIBERTY FIELD**

**DUELING OAK AT INTERSECTION WITH BUTTERFLY  
FLAT**

A motion was presented by County Commissioner Lyle Larson, duly seconded by County Commissioner Robert Tejeda, which motion was voted on as follows: Commissioners Tejeda, Elizondo, Larson, Adkisson and Judge Wolff voting "Aye". It is ordered by the Court that the above stop zones be, and hereby are, established.

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COMMISSIONERS COURT - ITEM 4A, B & C



COMMISSIONERS COURT - ITEM 39  
INFRASTRUCTURE SERVICES DEPARTMENT  
ORDER AUTHORIZING FUNDING FOR PURCHASE OF  
MATERIALS TO PROVIDE IMPROVEMENTS TO THE  
PADRE/PARK SPENCER-SANCHEZ FACILITY AND  
APPROVING THE NECESSARY TRANSFER OF FUNDS.  
(RECORD)

A motion was presented by County Commissioner Robert Tejada, duly seconded by County Commissioner Tommy Adkisson, which motion was voted on as follows: Commissioners Tejada, Elizondo, Larson, Adkisson and Judge Wolff voting "Aye". It is ordered by the Court that funding for purchase of materials to provide improvements to the Padre/Park Spencer-Sanchez facility be, and hereby is, authorized and the necessary transfer of funds is approved.

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COMMISSIONERS COURT - ITEM 4D  
INFRASTRUCTURE SERVICES DEPARTMENT  
ORDER APPROVING RESOLUTION ADOPTING CLEAN AIR  
CONTROL STRATEGIES NECESSARY FOR OUR REGION TO  
REDUCE OZONE POLLUTION AND APPROVAL OF THE CLEAN  
AIR PLAN'S PROPOSED LOCAL REVISION TO THE TEXAS  
STATE IMPLEMENTATION PLAN. (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 Tejada, Elizondo, Larson, Adkisson and Judge Wolff voting "Aye". It is ordered by the Court that the Resolution adopting Clean Air Control Strategies necessary for our region to reduce ozone pollution and approval of the Clean Air Plan's Proposed Local Revision to the Texas State Implementation Plan be, and hereby is, approved.

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COMMISSIONERS COURT - ITEM 4E  
PRESENTATION OF FOLLOW UP STATUS REPORT ON THE  
ACTIVITIES OF THE HOUSING AUTHORITY OF BEXAR  
COUNTY. (RECORD)

NO ACTION WAS TAKEN.

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COMMISSIONERS COURT - ITEM 5  
FILING FOR RECORD THE FOLLOWING LEGAL AND  
ADMINISTRATIVE DOCUMENTS.

PROFESSIONAL SERVICES AGREEMENT WITH SALDANA &  
ASSOCIATED FOR RENOVATION OF COUNTY CLERK'S SPACE  
AND RELOCATION OF SPANISH ARCHIVES (APPROVED  
DECEMBER 2, 2003)

CONSULTANT SERVICES CONTRACT WITH APPLIED LEGAL  
TECHNOLOGIES, INC. FOR TECHNOLOGY SUPPORT IN  
EXISTING DISTRICT AND CHILDREN'S COURTS (APPROVED  
DECEMBER 16, 2003)

7<sup>TH</sup> JOINT ORDER AMENDING FEE SCHEDULE FOR DISTRICT  
COURTS HANDLING CRIMINAL CASES

NOTICE OF PUBLIC HEARING FOR CREATION AND  
OPERATION OF EMERGENCY SERVICES DISTRICT NO. 4

LETTER FROM BILL HOLCHAK THANKING THE COURT FOR  
CONDOLENCE RESOLUTION

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COMMISSIONERS COURT - ITEM 6  
ORDER APPROVING MINUTES OF THE FOLLOWING  
COMMISSIONERS COURT MEETINGS:

TUESDAY, JANUARY 27, 2004  
WEDNESDAY, JANUARY 28, 2004  
TUESDAY, FEBRUARY 3, 2004

A motion was presented by County Commissioner Paul Elizondo, duly seconded by County Commissioner Robert Tejada, which motion was voted on as follows: Commissioners Tejada, Elizondo, Larson, Adkisson and Judge Wolff voting "Aye". It is ordered by the Court that the Minutes of the above Commissioners Court Meetings be, and hereby are, approved.

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COMMISSIONERS COURT - ITEM 7  
COMMUNICATIONS, INCLUDING CITIZENS WHO SIGNED THE  
COMMISSIONERS COURT WITNESS REGISTRATION/SIGN-IN,  
AND REPORTS.

W. F. KELLER AND C. ELIZONDO - PROPOSITION 13  
ROGER DOUALING - DEPUTY SHERIFFS ASSOCIATION  
ANGELA GARCIA - LULAC  
JAMES MYART  
JACK FINGER  
MIKE SIKES - ITEM 35

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A MOTION WAS PRESENTED BY COUNTY COMMISSIONER  
ROBERT TEJEDA, DULY SECONDED BY COUNTY  
COMMISSIONER PAUL ELIZONDO, TO SUSPEND THE  
REGULAR ORDER OF BUSINESS AND HEAR AGENDA ITEM 35  
AT THIS TIME.

MOTION WAS VOTED ON AS FOLLOWS: COMMISSIONERS  
TEJEDA, ELIZONDO, LARSON, ADKISSON AND JUDGE WOLFF  
VOTING AAYE.@

MOTION CARRIED.

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COMMISSIONERS COURT - ITEM 35  
INFRASTRUCTURE SERVICES DEPARTMENT  
DISCUSSION WAS HELD REGARDING STATUS OF ACTIVITIES

AND DEVELOPING ISSUES ON THE SAN ANTONIO RIVER IMPROVEMENT AND FLOOD CONTROL PROJECTS AND PROCESS IN MULTIPLE WATERSHEDS IN BEXAR COUNTY. (RECORD)

NO ACTION WAS TAKEN.

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COMMISSIONERS COURT RECESSED AT THIS TIME.

12:00 P.M.

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COMMISSIONERS COURT RECONVENED AT THIS TIME.

1:40 P.M.

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COMMISSIONERS COURT - ITEM 30  
ORDER APPROVING RE-APPOINTMENT OF THE FOLLOWING EMERGENCY SERVICES DISTRICT NO. 2 BOARD MEMBERS EACH FOR A TERM TO BEGIN UPON APPOINTMENT AND END ON THE DATES AS SHOWN BELOW. (RECORD)

<u>NAME</u>	<u>ENDING DATE</u>
PLACE 1: MARVIN KOLAR	DECEMBER 31, 2006
PLACE 2: BENNY FRANK PARTEE	DECEMBER 31, 2005
PLACE 3: JARRELL D. BARRINGTON, JR.	DECEMBER 31, 2005
PLACE 4: LARRY RAMOS	DECEMBER 31, 2006
PLACE 5: VICTOR GLYN SCOTT	DECEMBER 31, 2006

A motion was presented by County Commissioner Robert Tejeda, duly seconded by County Commissioner Paul Elizondo, which motion was voted on as follows: Commissioners Tejeda, Elizondo, Larson, Adkisson and Judge Wolff voting "Aye". It is ordered by the Court that the re-appointment of the above ESD #2 Board Members each for a term to begin upon appointment and end on the dates as shown be, and hereby is, approved.

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COMMISSIONERS COURT - ITEM 31  
ORDER APPROVING THE APPOINTMENT OF THE FOLLOWING EMERGENCY SERVICES DISTRICT NO. 3 BOARD MEMBERS EACH FOR A TERM TO BEGIN UPON APPOINTMENT AND TO END ON THE DATES AS SHOWN BELOW. (RECORD)

<u>NAME</u>	<u>ENDING DATE</u>
PLACE 1: ROY ADELL	DECEMBER 31, 2006
PLACE 2: DOUG CAMPBELL	DECEMBER 31, 2005
PLACE 3: HAROLD GAVITT	DECEMBER 31, 2005
PLACE 4: NELDA KAISER	DECEMBER 31, 2006
PLACE 5: DON KYSER	DECEMBER 31, 2006

A motion was presented by County Commissioner Lyle Larson, duly seconded by County Commissioner Tommy Adkisson, which motion was voted on as follows: Commissioners Tejeda, Elizondo, Larson, Adkisson and Judge Wolff voting "Aye". It is ordered by the Court that appointment of the above ESD #3 Board Members each for a term to begin upon appointment and end on the dates as shown be, and hereby is, approved.

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COMMISSIONERS COURT - ITEM 32  
DRAWING SIX (6) NAMES FROM THE 2003 GRAND JURY LIST  
TO SERVE ON THE 2004 SALARY GRIEVANCE COMMITTEE.

JOHN PANKRATZ  
PATRICK EUGENE DUFFY  
KIZZIE MCKENZIE PIPKINS  
JOHN J. FERGUSON  
BRUCE MC FADDEN  
ERNESTO VILLARREAL FLORES

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COMMISSIONERS COURT - ITEM 33  
COMMUNITY ARENA PROJECT (SBC CENTER)  
DISCUSSION WAS HELD REGARDING PROJECT STATUS  
MONTHLY REPORT. (RECORD)

NO ACTION WAS TAKEN.

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COMMISSIONERS COURT - ITEM 34  
HOUSING & HUMAN SERVICES DEPARTMENT  
DISCUSSION REGARDING STATUS REPORT ON DETENTION  
POPULATION MONITORING INCLUDING THE PROCESSING OF  
APAPER READY@INMATES AND MENTALLY ILL INMATES.  
(RECORD)

NO ACTION WAS TAKEN.

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COMMISSIONERS COURT - ITEM 28  
ORDER GRANTING AN EXEMPTION TO LOCAL  
GOVERNMENT CODE SECTION 262.023 (LOCAL  
GOVERNMENT CODE SECTION 262.024(a)(4)-PERSONAL  
SERVICE) AND APPROVING EXECUTION OF AN AGREEMENT,  
AS AMENDED, WITH MARCUS JAHNS FOR ASSISTANCE AND  
ADVICE ON THE COUNTYWIDE STRATEGIC PLAN, THE  
REGIONAL MOBILITY PLAN, THE CITIZENS COMMITTEE ON  
CITY/COUNTY SERVICE INTEGRATION AND OTHER  
ORGANIZATIONAL DEVELOPMENT ACTIVITIES SUBJECT TO  
FINAL NEGOTIATIONS BY COUNTY COMMISSIONERS PAUL  
ELIZONDO AND TOMMY ADKISSON AND WITH ADVICE AND  
CONSENT OF THE DISTRICT ATTORNEY'S OFFICE AND  
COUNTY AUDITOR AND THAT THE CONTRACT BE BROUGHT  
TO COMMISSIONERS COURT FOR FINAL APPROVAL.  
(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 Tejeda, Elizondo, Larson, Adkisson and Judge Wolff voting "Aye". It is ordered by the Court that an exemption to Local Government Code Section 262.023 (Local Government Code Section 262.024(a)(4)-Personal Service be, and hereby is, granted and execution of an agreement, as amended, with Marcus Jahns for assistance and advice on the Countywide Strategic Plan, the Regional Mobility Plan, the Citizens Committee on City/County Service

Integration and other organizational development activities is approved subject to final negotiations by County Commissioners Paul Elizondo and Tommy Adkisson and advice and consent of the District Attorney's office and County Auditor and that the contract be brought back to Commissioners Court for final approval.

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COMMISSIONERS COURT MET IN EXECUTIVE SESSION AT THIS TIME PURSUANT TO CHAPTER 551, TEXAS GOVERNMENT CODE AND THE FOLLOWING ITEMS WERE DISCUSSED.

551.074 - PERSONNEL MATTERS

DELIBERATION REGARDING THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE OR DISMISSAL OF THE FOLLOWING PUBLIC OFFICERS OR EMPLOYEES:

JOSE CASTILLO  
S. MARCUS JAHNS  
DAVID MARQUEZ  
SETH MITCHELL  
DAVID MORGAN  
GABRIEL PEREZ  
DAVID SMITH

2:45 P.M.

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

3:45 P.M.

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COMMISSIONERS COURT  
ORDER APPOINTING DAVID SMITH AS EXECUTIVE DIRECTOR OF PLANNING AND RESOURCE MANAGEMENT DEPARTMENT/BUDGET OFFICER EFFECTIVE FEBRUARY 27, 2004 AT A SALARY OF 20% ABOVE THE ENTRY LEVEL OF A GRADE 76.

A motion was presented by County Commissioner Paul Elizondo, duly seconded by County Commissioner Tommy Adkisson, which motion was voted on as follows: Commissioners Tejada, Elizondo, Larson, Adkisson and Judge Wolff voting "Aye". It is ordered by the Court that the appointment of David Smith as Executive Director of Planning and Resource Management Department/Budget Officer effective February 27, 2004 at a salary of 20% above the entry level of a Grade 76 be, and hereby is, approved .

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COUNTY COMMISSIONER LYLE LARSON LEFT THE MEETING AT THIS TIME.

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COMMISSIONERS COURT - ITEM 37  
INFRASTRUCTURE SERVICES DEPARTMENT

ORDER APPROVING PAYMENT OF \$214,507.00 IN ACCORDANCE WITH THE AWARD OF SPECIAL COMMISSIONERS CAUSE NO. 2003-ED-0028, PROBATE COURT NO. 2, BEXAR COUNTY, TEXAS TO ACQUIRE PARCELS #1 AND #4 - MARY SANDRA HUBBERD YTURRI, ET AL, FOR THE SOUTH APPLEWHITE PROJECT. (RECORD)

A motion was presented by County Commissioner Robert Tejeda, duly seconded by County Commissioner Paul Elizondo, which motion was voted on as follows: Commissioners Tejeda, Elizondo, Adkisson and Judge Wolff voting "Aye". It is ordered by the Court that payment of \$214,507.00 in accordance with the Award of Special Commissioners Cause No. 2003-ED-0028, Probate Court No. 2, Bexar County, Texas to acquire parcels #1 and #4-Mary Sandra Hubberd Yturri, et al, for the South Applewhite Project be, and hereby is, approved.

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COMMISSIONERS COURT - ITEM 38  
INFRASTRUCTURE SERVICES DEPARTMENT  
ORDER ACCEPTING TEXAS DEPARTMENT OF TRANSPORTATION MINUTE ORDER 109524 AND APPROVING THE STATE INFRASTRUCTURE BANK LOAN AGREEMENT BETWEEN THE TEXAS DEPARTMENT OF TRANSPORTATION AND BEXAR COUNTY FOR UP TO \$9.1 MILLION, AT 4.3% INTEREST, SUBJECT TO CONTINUED NEGOTIATION AND APPROVAL OF A FINAL FORM DOCUMENT BY BEXAR COUNTY STAFF, TO INCLUDE THE BUDGET OFFICE, DISTRICT ATTORNEY'S OFFICE AND THE INFRASTRUCTURE SERVICES DEPARTMENT. (RECORD)

A motion was presented by County Commissioner Robert Tejeda, duly seconded by County Commissioner Paul Elizondo, which motion was voted on as follows: Commissioners Tejeda, Elizondo, Adkisson and Judge Wolff voting "Aye". It is ordered by the Court that the TxDOT Minute Order 109524 be, and hereby is, accepted and the State Infrastructure Bank Loan Agreement between TxDOT and Bexar County for up to \$9.1 million, at 4.3% interest, is approved subject to continued negotiation and approval of a final form document by Bexar County staff to include the Budget Office, District Attorney's Office and the Infrastructure Services Department.

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COMMISSIONERS COURT - ITEM 40  
PLANNING & RESOURCE MANAGEMENT DEPARTMENT  
**ORDER ACCEPTING THE DRAFT AND ANY CHANGES PROPOSED BY THE COMMISSIONER COURT TO BEXAR COUNTY ADMINISTRATIVE POLICY 8.0 (SMWBE);**  
  
**ORDER ACCEPTING THE DRAFT OF BEXAR COUNTY ADMINISTRATIVE POLICY 8.1 (PURCHASING) AND ANY CHANGES PROPOSED BY COMMISSIONERS COURT; AND**  
  
**ORDER ACCEPTING THE DRAFT BEXAR COUNTY PURCHASING MANUAL. (RECORD)**

A motion was presented by County Commissioner Paul Elizondo, duly seconded by County Commissioners Robert Tejeda and Tommy Adkisson, which motion was voted on as follows: Commissioners Tejeda, Elizondo, Adkisson and Judge Wolff voting "Aye". It is ordered by the Court that the above orders be, and hereby are, approved.

COMMISSIONERS COURT - ITEM 41  
PLANNING & RESOURCE MANAGEMENT DEPARTMENT  
ORDER ACCEPTING REPORT OF THE TERMS OF AGREEMENT  
AMONG UNDERWRITERS AS RECOMMENDED BY THE  
COUNTY'S UNDERWRITING SYNDICATE. (RECORD)

A motion was presented by County Commissioner Robert Tejeda, duly seconded by County Commissioner Paul Elizondo, which motion was voted on as follows: Commissioners Tejeda, Elizondo, Adkisson and Judge Wolff voting "Aye". It is ordered by the Court that the report of the terms of Agreement Among Underwriters as recommended by the County's underwriting syndicate be, and hereby is, accepted.

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COUNTY COMMISSIONER LYLE LARSON RETURNED TO THE  
MEETING AT THIS TIME.

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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:

1. PENDING OR CONTEMPLATED LITIGATION OR SETTLEMENT OFFERS  
IN THE FOLLOWING MATTERS:  
CONSTABLE RUBEN C. TEJEDA, ET AL, V. BEXAR  
COUNTY, ET AL
2. 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:

LEGAL ISSUES PERTAINING TO THE:

SENATE BILL 15 AGREEMENT WITH TEXAS DEPARTMENT OF  
ECONOMIC DEVELOPMENT AND TOYOTA

4:20 P.M.

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

4:40 P.M.

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COMMISSIONERS COURT - ITEM 36  
INFRASTRUCTURE SERVICES DEPARTMENT  
ORDER APPROVING PAYMENT OF \$154,932.73 IN ACCORDANCE WITH THE  
AWARD OF SPECIAL COMMISSIONERS, CAUSE NO. 2003-ED-0035,  
PROBATE COURT NO. 1, BEXAR COUNTY, TEXAS TO ACQUIRE PARCEL NO.  
5 - PRESTO TIERRA, LLC, ET AL, FOR THE APPLEWHITE SOUTH  
PROJECT. (RECORD)

A motion was presented by County Commissioner Lyle Larson, duly seconded by County Commissioner Tommy Adkisson, which motion was voted on as follows: Commissioners Tejeda, Elizondo, Larson, Adkisson and Judge Wolff voting "Aye". It is ordered by the Court that payment of \$154,932.73 in accordance with the Award of Special Commissioners, Cause No. 2003-ED-0035, Probate Court No. 1, Bexar County, Texas to acquire parcel No. 5 - Presto Tierra, LLC, et al, for the Applewhite South Project be, and hereby is, approved.

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A motion for adjournment was presented by County Commissioner Tommy Adkisson, duly seconded by County Commissioner Paul Elizondo, which motion was voted on as follows: Commissioners Tejeda, Elizondo, Larson, 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 BARBARA BROWN TURNER CARPENTER, RICHARD JOE SALINAS AND MARY MARTINEZ, until Tuesday, February 17, 2004 at 2:00 p.m.**

5:05 p.m.

**NELSON W. WOLFF, COUNTY JUDGE  
BEXAR COUNTY, TEXAS**

**ATTEST:       GERRY RICKHOFF  
              COUNTY CLERK  
              BEXAR COUNTY, TEXAS**

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