

Orders of Commissioners Court
Bexar County, Texas

OCTOBER 10, 2006

Court met at 11:00 A.M.

A Regular Meeting was held by the Honorable Commissioners Court, in and for said State and County, met at the Courthouse, of thereof, in Bexar County on October 10, 2006.

Present at roll call:

Nelson W. Wolff, County Judge;
Sergio "Chico" Rodriguez, 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;
Seth Mitchell, Chief of Staff to County Judge;
Tommy J. Tompkins, County Auditor;
Gerry Rickhoff, County Clerk (Rep. by Leonor Mercado);
Susan Reed, District Attorney (Rep. by Ed Schweninger);
Keith L. Charlton, Executive Director - Criminal Justice Planning & Coordination Department;
David Marquez, Director, Economic Development/Special Projects;
Joe Aceves, Executive Director - Infrastructure Services Department;
David J. Morgan, Chief Information Officer - Information Services Department;
David Smith, Executive Director - Planning & Resource Management Department/Budget Officer; and
Gary O'Bar, Purchasing Agent.

When the following proceedings were had to-wit:

Ida Kenny 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 Eusebio Garcia, Sr. expressing to them the sympathy of the court on the loss of their loved one.

A Letter of Condolence is to be sent to the family of Winston H. "Harry" Pack expressing to them the sympathy of the court on the loss of their loved one. Mr. Pack was a commercial real estate broker, owning his own company, Harry Pack Properties. And most recently, he also worked with his wife Betty at Arnett Marketing. He will always be remembered for his love of music. He is survived by his wife Betty (Arnett) Pack; daughter, Michelle Squilla; one grandchild, Michael.

A Letter of Condolence is to be sent to the family of Willard L. Hanson expressing to them the sympathy of the court on the loss of their loved one. He was a graduate of Oakes High School and Dakota Business College, and he began a business career as a bookkeeper. Mr. Hanson owned and operated hardware stores in Graceville and Ada, Minnesota for 33 years and held leadership roles in the Norman County Fair Board, the Ada Chamber of Commerce, Grace Lutheran Church, and Masonic Lodge. Upon retirement, Willard and Judy traveled with Retired Volunteers in Christ's Service for seven years, lending their skills to countless non-profit and church-related organizations such as Bible camps and orphanages. Setting down new roots in Sun City, Arizona, Mr. Hanson became acquainted with a computer and began writing poetry to his family. They moved to San Antonio in 1999, where he was a member of St. John's Lutheran Church, Davy Crocket Lodge No. 1225, and Northwest Democrats Club. He is survived by his daughter Judge Barbara Hanson Neller-moe; son, Douglas Willard Hanson; four grandchildren and three great-grandchildren.

A Letter of Condolence is to be sent to the family of Elia S. De Hoyos expressing to them the sympathy of the court on the loss of their loved one. Mrs. De Hoyos is survived by her husband, John R. De Hoyos; daughters, Judge Jo Ann De Hoyos, Elsa Luna and Elizabeth Garcia; son, Charles John De Hoyos; seven grandchildren, several nieces, nephews and cousins.

A Letter of Condolence is to be sent to the family of Marie Elizabeth Jaeckle Hilbig expressing to them the sympathy of the court on the loss of their loved one. Mrs. Jaeckle Hilbig attended St. Gerard grade and high schools. She was active in her community and enjoyed music, especially playing the piano. Mrs. Jaeckle Hilbig married her childhood sweetheart, Edward Hilbig and together they raised six sons. She worked alongside her husband in his plumbing business and at the same time, was employed at Southwestern Bell Telephone Company, where she retired after 27 years of service. She was a devout member of Holy Trinity Catholic Church. She is survived by her sons: John Hilbig, George Hilbig, Robert Hilbig, Steve Hilbig, David Hilbig, Doug Hilbig; ten grandchildren and 13 great-grandchildren; numerous nieces and nephews.

A Letter of Condolence is to be sent to the family of Stephen Vrana-Troutz expressing to them the sympathy of the court on the loss of their loved one. Mr. Vrana-Troutz is survived by his parents: Herb and Barbara Troutz.

A Letter of Condolence is to be sent to the family of Col. (Ret.) E.F. 'Sandy' Faust expressing to them the sympathy of the court on the loss of their loved one. Mr. Faust graduated from Harlandale High School in 1942. His beautiful tenor voice allowed him to attend Trinity University on scholarship. Mr. Faust joined the US Navy in February 1943 serving on the Battleship USS Pennsylvania and on the USS Walter X. Young (APD). Seeing action in most of the major Pacific battles, Mr. Faust was in Tokyo Bay for the signing of the peace treaty ending World War II. After mustering out of the Navy, Mr. Faust married the love of his life, the former Betty Evans in 1946. He reentered the military in 1949, this time as a sergeant in the US Army. He was commissioned as a second lieutenant on completion of Officer Candidate School in December of that year. He served his country in the Korean Conflict and Vietnam where he served under John Paul Vann. Mr. Faust completed his degree at McNeese State University. Overseas stations included England, Panama, and Venezuela. Among his awards are the Legion of Merit, the Bronze Star, the Venezuelan Cross of the Armed Forces, and induction into the US Army Officer Hall of Fame. He retired from the armed forces in 1972 after serving 27 years. He worked for The National Bank of Fort Sam Houston, where he rose to the level of Senior Vice President. He enjoyed serving the military in the roles of: National Director of the Air Force Association; Chairman of the National Board of Trustees for the Arnold Air Society; Director of the Retired Officers Association; San Antonio Chapter and Alamo Chapter President, State President, and Region IV President, and board member of the Board of Directors of the Association of the US Army (AUSA). He was a popular speaker at numerous civic events in the Alamo City representing his passion-the U.S. military. Mr. Faust also starred in a number of musical productions and was part of various singing groups. After 21 years of service to the military banking community, he retired in 1994. He is survived by his wife Betty; son, Jerry Faust; daughter, Candy Rattray; seven grandchildren and two great-grandchildren.

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

Eusebio Garcia, Sr.
Winston H. 'Harry' Pack
Willard L. Hanson
Elia S. De Hoyos
Marie Elizabeth Jaeckle Hilbig
Stephen Vrana-Troutz
Col. (Ret.) E. F. 'Sandy' Faust



Item – 3 a-c

October 10, 2006

The Court presented a Proclamation congratulating Samuel Heard in the 2006 Draft to the Dallas Cowboys.

The Court presented a Proclamation recognizing and declaring October 18, 2006 to be “Alamo WorkSource Day” in celebration of the 10th anniversary of the Alamo Workforce Development Board.

The Court presented a Proclamation recognizing and declaring October 23, 2006 through October 27, 2006 as “Minority Enterprise Development Week in Bexar County” which celebrates the many valuable contributions of minority businesses to our economy.

The Court presented a Proclamation recognizing and proclaiming October 15, 2006 “National Latino AIDS Awareness Day” in Bexar County and the San Antonio Eligible Metropolitan Area.

Marc Hamlin, Brazos County District Clerk, presented an Outstanding Achievement Award to Gerry Rickhoff, Bexar County Clerk of Bexar County Texas on behalf of the Texas Association of Counties’ Annual Conference in Austin.



Item – 4 a

October 10, 2006

A Presentation by the Spurs Organization announcing the kick-off of the new 2006-2007 basketball season for the NBA Champion San Antonio Spurs and the 2006-2007 hockey season for the San Antonio Rampage and thanking the Bexar County Commissioners Court for their support.

The Spurs Organization presented the Court with gifts.



Item – 4 b

October 10, 2006

The Court hereby ordered and approved a motion approving an Interlocal Agreement between Bexar County and the VIA Metropolitan Transit Authority for two initiatives, one that will allow County employees to travel on VIA regular line buses fare free at an annual cost to the County of \$252,900 and another that will allow citizens summoned to jury duty by the County to travel on VIA regular line buses fare free within the VIA service area at an annual estimated cost of \$40,000, with a term of November 1, 2006 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 Rodriguez, Elizondo, Larson, Adkisson and Judge Wolff voting “Aye”.



Item – 5

October 10, 2006

The Court hereby ordered and approved a motion approving the Consent Agenda (Items 10-56) with the exception of Item #54 which will be pulled at this time. (Record)

A motion was presented by County Commissioner Lyle Larson, duly seconded by County Commissioner Paul

Elizondo, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Larson, Adkisson and Judge Wolff voting "Aye".

♦♦

Item – 10

October 10, 2006

Commissioners Court

The Court hereby ordered and approved a motion approving a request from Commissioner Sergio "Chico" Rodriguez to re-appoint Eugene Sheppard to the City/County Joint Commission on Elderly Affairs for a term to begin upon reappointment and expire September 24, 2007. (Record)

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

♦♦

Item – 11

October 10, 2006

Commissioners Court

The Court hereby ordered and approved a motion approving a request from Bexar County Judge Nelson W. Wolff to re-appoint Ida Kenny to the City/County Joint Commission on Elderly Affairs for a term to begin upon appointment and expire September 30, 2008. (Record)

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

♦♦

Item – 12

October 10, 2006

Commissioners Court

The Court hereby ordered and approved a motion approving the appointment(s) of the following nomination(s) to the San Antonio Area HIV Health Services Planning Council for term(s) to begin on October 10, 2006 and expire as listed: (Record)

Name	Membership Category	Term Ends	Replacing/Filling
Daniel C. Graney	Affected Communities	02/28/08	Larry Diaz

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

♦♦

Item – 13

October 10, 2006

Commissioners Court

The Court hereby ordered and approved a motion approving the appointment(s) of the following nomination(s) to the San Antonio Area HIV Health Services Planning Council for term(s) to begin on October 10, 2006 and expire as listed: (Record)

Name	Membership Category	Term Ends	Replacing/Filling
------	---------------------	-----------	-------------------

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



Item – 14

October 10, 2006

Commissioners Court

The Court hereby ordered and approved a motion approving the appointment(s) of the following nomination(s) to the San Antonio Area HIV Health Services Planning Council for term(s) to begin on October 10, 2006 and expire as listed: (Record)

Name	Membership Category	Term Ends	Replacing/Filling
Gabriel Puente Jr.	Non-Elected Community Leader	02/28/08	Vacancy

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



Item – 15

October 10, 2006

Sheriff's Office

The Court hereby ordered and approved a motion authorizing the acceptance of funds for the "Street Crime Initiative" grant project, a new Anti-Gang Initiative under the Project Safe Neighborhoods program of the Bureau of Justice Assistance administered by the United States Attorney's Office in the amount not to exceed \$170,000 for up to 24 months. (Record)

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



Item – 16

October 10, 2006

County Auditor

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

\$ 719,627.61 (Checks printed 09-29-2006)
 \$ 2,198,364.63 (Checks printed 10-04-2006)

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



Item – 17

October 10, 2006

County Auditor

The Court hereby ordered and approved a motion authorizing the County Auditor to pay bills through Friday, October 20, 2006. The list of bills will be presented to the Court on October 24, 2006. (Record)

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



Item – 18

October 10, 2006

County Auditor

The Court hereby ordered and approved a motion approving the payment of payrolls and auto allowances to be paid Friday, October 13, 2006. (Record)

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



Item – 19

October 10, 2006

Purchasing Department

The Court hereby ordered and approved a motion awarding contracts to the lowest and best bids submitted by Hospital Klean of Texas, Incorporated on Subpart A for \$571,440.96; and Member’s Building Maintenance, LTD on Subparts B and C for \$411,888 to provide all labor, equipment, tools, materials, chemicals, supplies, supervision, and other items or services necessary to perform custodial services in various County owned and leased buildings and facilities as requested by the Bexar County Infrastructure Services Department for a one-year period 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 Paul Elizondo, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Larson, Adkisson and Judge Wolff voting “Aye”.



Item – 20

October 10, 2006

Purchasing Department

The Court hereby ordered and approved a motion awarding contracts to the lowest and best bids submitted by Tamez Commercial Refrigeration and Air Conditioning on Subparts A, B, D, E, G, H, and I for an estimated \$850,000, M & M Weatherization Company on Subpart C for an estimated \$71,000, American GI Forum, CHDO on Subpart F for an estimated \$17,000, and Air-Stream Heating & A/C Co., Inc. on Subpart J for an estimated \$ 35,000 to provide all labor, equipment, tools, materials, chemicals, supplies, supervision, and other items or services necessary to perform Repair, Replacement, or Retrofit of Heating and Cooling Appliances on a requirements contract basis for a one-year period beginning October 11, 2006 as requested by the Bexar County Community & Development Department and authorizing the Purchasing Agent to execute and file appropriate award documents for record. (Record-contracts to be filed later)

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

♦♦

Item – 21

October 10, 2006

Purchasing Department

The Court hereby ordered and approved a motion authorizing the Purchasing Agent to advertise a Request for Proposals to purchase Data Conversion Services as requested by the Bexar County Criminal Justice Planning & Coordination Department, Criminal Investigation Laboratory. (Record)

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

♦♦

Item – 22

October 10, 2006

Community and Development Department

The Court hereby ordered and approved a motion executing Change Order Number 1 in the amount of \$33,634.25 for additional construction services to the contract with San Antonio Constructors, LTD for the construction of the Macdona Drainage project using Program Year 1996 and 2003 Community Development Block Grant funds in the amount of \$468,847.46. (Record)

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

♦♦

Item – 23

October 10, 2006

Information Services

The Court hereby ordered and approved a motion authorizing the County Judge to sign agreement(s) between Bexar County and the following organization for the purpose of allowing access to the Bexar County Public Information Network for records limited to information obtainable by the public under the provisions of Rule 12 of the Rules of Judicial Administration: Olson Investment Group (Record)

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



Item – 24

October 10, 2006

Information Services

The Court hereby ordered and approved a motion authorizing the County Judge to sign agreement(s) between Bexar County and the following organizations for the purpose of allowing access to the Bexar County Public Information Network for records limited to information obtainable by the public under the provisions of Rule 12 of the Rules of Judicial Administration: Erma Spell - #1 Bail Bonds 2nd, Jackson Walker, L. L. P., and Countywide Research. (Record)

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



Item – 25

October 10, 2006

Infrastructure Services

The Court hereby ordered and approved a motion establishing the following Traffic Control Devices: (Record)

Stop Zones:

Precinct No. 1

Red Maple Way at intersection with Roft Road (Stop at Red Maple Way)

Precinct No. 3

Waterhole Lane at intersection with Cibolo Canyon Boulevard (Stop at Waterhole Lane)

Bison Canyon at intersection with Cibolo Canyon Boulevard (Stop at Bison Canyon)

Precinct No. 4

Ludlow Cove at intersection with Gambels Quail (Stop at Ludlow Cove)

Trona Mine at intersection with Gambels Quail (Stop at Trona Mine)

Afton Canyon at intersection with Badland Beacon (Stop at Afton Canyon)

Badland Beacon at intersection with Joshua Tree (Stop at Badland Beacon)

Turtle Back at intersection with Badland Beacon (Stop at Turtle Back)

Joshua Tree at intersection with Binz Engleman Road (Stop at Joshua Tree)

Spotted Owl at intersection with Gambels Quail (Stop at Spotted Owl)

Turtle Back at intersection with Gambels Quail (Stop at Turtle Back)

Badland Beacon at intersection with Spotted Owl (Stop at Badland Beacon)

Spotted Owl at intersection with Binz Engleman Road (Stop at Spotted Owl)

Speed zones:

Precinct No. 4

Spotted Owl from Binz Engleman to Gambels Quail shall be 30 mph

Joshua Tree from Binz Engleman to Gambels Quail shall be 30 mph

No parking:

Precinct No. 4

Windsor Oaks from Walzem Road to 80 feet north of Walzem Road (both sides of the street)

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



Item – 26

October 10, 2006

Infrastructure Services

The Court hereby ordered and approved a motion accepting the following streets in the identified subdivision for County maintenance to begin October 10, 2006: (Record)

Subdivision	Street/Drain
Walnut Pass @ Boerne Stage, Unit 1 (Precinct No. 3)	Alamosa Falls (1,498.08 lf)
	Vinyard Mist (505.59 lf)
	Driftwood Hill (463.25 lf)
	Grape Creek Lane (105 lf)
	Spicewood Bend (828.35 lf)
	Woodrose Park (246.66 lf)

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



Item – 27-44

October 10, 2006

Infrastructure Services

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

Subdivision plat of Alamo Ranch Cottonwood Way Unit 1, owner: Pulte Homes of Texas L.P., located west of Morning Vista and Thoroughbred Trail, not within the Edwards Aquifer Recharge Zone. Precinct No.1.

Subdivision plat of Park Place II Unit 3, owner: XL Equity Partners, L.P., located north of Louisburg Drive and Rainbow Creek, not within the Edwards Aquifer Recharge Zone. Precinct No.1.

Subdivision plat of Park Place II Unit 5, owner: XL Equity Partners, L.P., located west of Oak Wood Crest and Wooden Fox, not within the Edwards Aquifer Recharge Zone. Precinct No.1.

Subdivision plat of Alamo Ranch Cottonwood Way Unit 2, owner: Pulte Homes of Texas L.P., located west of Lonestar Parkway and Cottonwood Way, not within the Edwards Aquifer Recharge Zone. Precinct No.1.

Subdivision plat of Alamo Ranch Unit 29B Enclave, owner: Hanna/Magee, L.P. #1, located southwest of Chambers Cove and Cottonwood Way, not within the Edwards Aquifer Recharge Zone. Precinct No.1.

Subdivision plat of Alamo Ranch Unit 30 Enclave, owner: Hanna/Magee, L.P. #1, located east of Cottonwood Way

and Lone Star Parkway, not within the Edwards Aquifer Recharge Zone. Precinct No.1.

Subdivision plat of Leal Estates, owner: Joe Leal Jr., located southwest of Potranco Road and Talley Road, not within the Edwards Aquifer Recharge Zone. Precinct No.1.

Subdivision plat of KB Potranco Unit 4, owner: KB Home Lone Star L.P., located west of Sunset Rainbow and Sundance Fall, not within the Edwards Aquifer Recharge Zone. Precinct No.1.

Subdivision plat of KB Potranco Unit 5, owner: KB Home Lone Star L.P., located west of Sundance Walk and Sundance Fall, not within the Edwards Aquifer Recharge Zone. Precinct No.1.

Subdivision plat of Silver Oaks Unit 4 Phase B, owner: Centex Homes, located north of Oak Park Glen and Silver Hampton, not within the Edwards Aquifer Recharge Zone. Precinct No.2.

Subdivision plat of Stillwater Ranch Unit 1, owner: JSL Development Corp., located northwest of Culebra Road and FM 1560, not within the Edwards Aquifer Recharge Zone. Precinct No.2.

Subdivision plat of Stillwater Ranch Unit 2, owner: JSL Development, located southwest of FM 1560 and Culebra Road, not within the Edwards Aquifer Recharge Zone. Precinct No.2.

Subdivision plat of Stillwater Ranch Unit 4, owner: JSL Development, located east of Garrett Creek and Kings Spring, not within the Edwards Aquifer Recharge Zone. Precinct No.2.

Subdivision plat of Stillwater Ranch Unit 6, owner: JSL Development, located northwest of Roft Street and Culebra Road, not within the Edwards Aquifer Recharge Zone. Precinct No.2.

Subdivision plat of San Miguel Unit 2 Planned Unit Development, owner: Trautmann Development, LTD., located northeast of Via Positano and Via Milano, within the Edwards Aquifer Recharge Zone. Precinct No.3.

Subdivision plat of Two Creeks Unit 4 Planned Unit Development, owner: Bitterblue/Two Creeks Phase I LTD., located northwest of Boerne Stage Road and IH 10, not within the Edwards Aquifer Recharge Zone. Precinct No.3.

Subdivision plat of Cielo Ridge Unit 2 Planned Unit Development, owner: Dr. Joseph P. Murgo, located southeast corner of Cielo Ridge Drive, not within the Edwards Aquifer Recharge Zone. Precinct No.3.

Subdivision plat of Fox Grove Unit 8, owner: KB Home Lone Star L.P., located southeast of Coral Spur and Cape Coral, within the Edwards Aquifer Recharge Zone. Precinct No.3.

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



Item – 45

October 10, 2006

Infrastructure Services

The Court hereby ordered and approved a motion approving order declaring a public necessity for the acquisition of fee simple title in and to Parcel 14, Shaenfield Road Reconstruction Project, consisting of 0.0597 of an acre of land, more or less, save and except any oil, gas or minerals and any subsurface water rights in and to the parcel together with any and all appurtenant water rights, without any right of the owner(s) of ingress and egress to and from the surface of said parcel to explore, develop, drill or produce, for highway right-of-way purposes for the improvement of Shaenfield Road, said parcel being situated in the M. M. Musquiz Survey number 80, Abstract 467, County Block 4450 of Bexar County, Texas being a portion of a 2.0 acre tract as described in a Warranty Deed recorded in Volume 2606, Page 905-906 of the Real Property Records of Bexar County, Texas, and authorizing institution of condemnation proceedings to acquire such land rights. Precinct No.2. (Record)

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



Item – 46

October 10, 2006

Infrastructure Services

The Court hereby ordered and approved a motion approving Order declaring a public necessity for the acquisition of fee simple title in and to Parcel 17, consisting of 0.5741 of an acre of land, more or less, and a drainage easement (Parcel 17e), consisting of 0.8494 of an acre of land, more or less, Shaenfield Road reconstruction project, save and except any oil, gas or minerals and any subsurface water rights together with any and all appurtenant water rights, without any right of the owner(s) of ingress and egress to and from the surface of said parcels to explore, develop, drill or produce, for highway right-of-way purposes for the improvement of Shaenfield Road, said parcels being situated in the M. M. Musquiz Survey No 80, Abstract 467, County Block 4450, Bexar County, Texas being a portion of a remainder tract of a 22.650 acre tract described in a Warranty Deed recorded in Volume 5803, Page 1632-1636 of the Real Property Records of Bexar County, Texas, and authorizing institution of condemnation proceedings to acquire such land rights. Precinct No.2. (Record)

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



Item – 47

October 10, 2006

Infrastructure Services

The Court hereby ordered and approved a motion approving Order declaring a public necessity for the acquisition of fee simple title in and to Parcel 34, Shaenfield Road reconstruction project, consisting of 0.1194 of an acre of land, more or less, save and except any oil, gas or minerals and any subsurface water rights in and to the Parcel together with any and all appurtenant water rights, without any right of the owner(s) of ingress and egress to and from the surface of said parcel to explore, develop, drill or produce, for highway right-of-way purposes for the improvement of Shaenfield Road, said Parcel being situated in the C. Villanueva Survey Number 85, Abstract 774, County Block 4449 of Bexar County, Texas being a portion of a 15.49 acre tract as described in a Warranty Deed recorded in Volume 6465, Page 252-255 of the Real Property Records of Bexar County, Texas, and authorizing institution of condemnation proceedings to acquire such land rights. Precinct No.2. (Record)

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



Item – 48

October 10, 2006

Infrastructure Services

The Court hereby ordered and approved a motion authorizing the sale of property struck off to Bexar County for delinquent taxes known as CB 4008-4, P-19, ABS 4, 8.5 acres, as shown by a deed of record in Volume 006515, Page 0857 of the Deed Records of Bexar County, Texas, situated within Bexar County, Texas; located at 19191 La Gloria Road for \$21,572.58 (the total amount of judgments against the property) to Richard and Dora C. Mendez pursuant to Section 34.05(h) of the Texas Tax Code and authorizing the execution of deed. Precinct No.4. (Record)

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

♦♦

Item – 49

October 10, 2006

Infrastructure Services

The Court hereby ordered and approved a motion approving purchase of right-of-way, Parcel No. 22 being 0.3625 of an acre, Shaenfield Road, from the John B. Rihn, Jr. and Josie Mae Rihn Living Trust for a total consideration of \$24,261. Precinct No.2. (Record)

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

♦♦

Item – 50

October 10, 2006

Infrastructure Services

The Court hereby ordered and approved a motion approving Real Estate list for the November 7, 2006 Commissioners Court Auction and authorizing the Sheriff to advertise and sell the property at a public sale pursuant to 34.05(c) of the Texas Tax Code. (Record)

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

♦♦

Item – 51

October 10, 2006

Infrastructure Services

The Court hereby ordered and approved a motion approving Participation Agreement between Bexar County and Campbellton Road, LTD. for the Copper Ridge Development Project in the amount of \$1,632,640. Precinct No.1. (Record)

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



Item – 52

October 10, 2006

Infrastructure Services

The Court hereby ordered and approved a motion executing an Interlocal Agreement between Bexar County and CPS Energy for Bexar County's Braun Road (Loop 1604 to FM 1560) Project, BC 2004-376. Precinct No.2. (Record)

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



Item – 53

October 10, 2006

Infrastructure Services

The Court hereby ordered and approved a motion approving a three year lease agreement between Bexar County, Texas and MPL Limited Partnership for 25,918 square feet of office space located at 200 Main Plaza, at an initial rate of \$27,214.00 per month, for the continued operation of the Adult Probation Office. Precinct No.4. (Record)

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



Item – 55

October 10, 2006

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; and providing an effective date. (Record)

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



Item – 56

October 10, 2006

Planning and Resource Management

The Court hereby ordered and approved a motion approving the corrections to the authorized positions list in the FY 2006-2007 Adopted Budget. (Record)

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



Commissioners Court recessed at this time 12:15 p.m.

Commissioners Court reconvened at this time 1:45 p.m.



Item – 6

October 10, 2006

Filing for record the following legal and administrative documents, and directing the Criminal District Attorney to take action if necessary:

- A. Comal Street Interlocal Agreement approved August 17, 2006.
- B. United States District Court, Western District of Texas, Summons in a Civil Case, Alan Langford v. Bexar County, Texas and Bexar County Constable's Department Precinct 1.
- C. United States District Court, Western District of Texas, Summons in a Civil Case, Crecencio Fragozo v. Bexar County, Texas and Bexar County Constable's Department Precinct 1.
- D. Modification of Contract with Cingular Wireless approved September 5, 2006.
- E. Modification of Contract with Nextel Communications approved September 5, 2006.
- F. Return of Citation by Personal Service in a Delinquent Tax Suit, Schertz, Cibolo, Universal City I.S.D. et al v. Best Transport, Inc., A. Corporation dba Best Transportation.
- G. Return of Citation by Personal Service in a Delinquent Tax Suit, Schertz, Cibolo, Universal City I.S.D. et al v. Peggy Michna.
- H. Return of Citation by Personal Service in a Delinquent Tax Suit, Schertz, Cibolo, Universal City I.S.D. et at. v. Rose Mireles, et al.
- I. Return of Citation by Personal Service in a Delinquent Tax Suit, Schertz, Cibolo, Universal City I.S.D. et al v. Bobby Moody, et al.
- J. Return of Citation by Personal Service in a Delinquent Tax Suit, Schertz, Cibolo, Universal City I.S.D et al v. Antonio Sandoval, et al.
- K. Administrative Order on Consent, In the Matter of: R & H Oil/Tropicana Site, San Antonio, Texas, from the United States Environmental Protection Agency.



Item – 7

October 10, 2006

The Court hereby ordered and approved a motion approving minutes of Tuesday, September 26, 2006 as printed.

(Record)

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

♦♦

Item – 8

October 10, 2006

The Court hereby ordered and approved a motion approving an amendment to the April 19, 2006 Minutes of the Commissioners Court to correct an error in the minutes and to reflect the intended action at its April 19, 2006 meeting as follows: Item-6a should order and approve a funding strategy for the construction of the 2003 Road and Bridge Bond Program projects that utilizes all Fund 203 Bond funds first, then to issue debt to fund the all remaining projects. (Record)

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

♦♦

Item – 9

October 10, 2006

Communications, including citizens who signed the registration form and reports:

Faris Hodge, Jr.

Nikki Kuhns

♦♦

Item – 57

October 10, 2006

Commissioners Court

Discussion was held regarding the status of activities on the upcoming November 7, 2006 Election and an update on the ES&S equipment. (Record)

No action was taken.

♦♦

Item – 60

October 10, 2006

Purchasing Department

The Court hereby ordered and approved a motion awarding a contract to McGriff, Seibels & Williams of Texas, Inc. to provide Bexar County with Comprehensive Insurance Consulting Services as requested by the Bexar County Planning & Resource Management Department contingent upon successful contract negotiation and execution. (Record-contract to be filed later)

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

♦♦

Item – 58

October 10, 2006

Purchasing Department

The Court hereby ordered and approved a motion awarding a contract to the lowest and best bid submitted by Acme Bridge Company, Inc. for the purchase of labor, materials, and construction services for the Drainage Structures 2004 Project as requested by the Bexar County Infrastructure Services Department in the contract amount of \$4,559,948.74 and authorizing the Purchasing Agent to execute and file appropriate award documents for record. (Record-contract to be filed later)

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



Item – 59

October 10, 2006

Purchasing Department

The Court hereby ordered and approved a motion awarding a contract to the lowest and best bid submitted by San Antonio Constructors, Ltd. for the purchase of labor, materials, and construction services for the Foster Road Project as requested by the Bexar County Infrastructure Services Department in the contract amount of \$4,522,398.25 and authorizing the Purchasing Agent to execute and file appropriate award documents for record, to include the appropriate budgetary transfer. (Record-contract 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 Rodriguez, Elizondo, Larson, Adkisson and Judge Wolff voting “Aye”.



Item – 61

October 10, 2006

Planning and Resource Management

The Court hereby ordered and approved a motion approving a request to submit an application to the Texas Task Force on Indigent Defense, 2007 Formula Grant Program for assistance in paying Bexar County’s increased costs in providing indigent defense services and complying with the Fair Defense Act during the period of October 1, 2006 through September 30, 2007, approval of a resolution authorizing the grant request and the County’s responsibility for the appropriate expenditure of funds, if awarded, and authorizing the Senior Grant Analyst to apply the “digital signature” of the County Judge to the electronic application, as well as to apply for and accept the grant in the amount of \$714,070 (FY 2007). (Record)

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



Item – 63

October 10, 2006

Planning and Resource Management

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

<u>Office/Department</u>	<u>BT#</u>	<u>Amount</u>	<u>From</u>	<u>To</u>
Planning and Resource Management	148	for an amount not to exceed \$450,000	General Fund Contingencies; Undesignated	Various Offices and Departments; end of year transfers

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

♦♦

Item – 64

October 10, 2006

Criminal Justice Planning and Coordination

Discussion was held regarding a status report on detention population monitoring including the processing of “paper ready” inmates and mentally ill inmates. (Record)

No action was taken.

Commissioner Lyle Larson left the meeting at this time.

♦♦

Item – 65

October 10, 2006

Economic Development and Community Services

Discussion was held regarding a status report on the AT&T Center/Arena Venue project. (Record)

No action was taken.

♦♦

Item – 66

October 10, 2006

Infrastructure Services

Discussion was held regarding Bexar County’s Pass Through Financing Program. (Record)

No action was taken.

Commissioner Lyle Larson returned to the meeting at this time.

♦♦

There being no objection Item #62 will be deferred until the next Commissioners Court Meeting of October 24, 2006.

♦♦

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. Jimmy Ray Gorman v. Bexar County Sheriff' s Office, Lt. Turriglio, et al
 - ii. Jennifer Schmidt v. Bexar County, et al
 - iii. Larry Click, Daniel Defee and Daniel Perez v. Bexar County and Sheriff Ralph Lopez
 - iv. Moeineddin Ghavami v. Bexar County and Juan Alanis, et al
 - v. Beverly Chavana vs. Bexar County and Tommy Tompkins
 - vi. So Young Kim, Individually and as Next Friend of Justin Kim, a Minor Child vs. County of Bexar and Joseph Harvey Jackson
 - vii. Lee Owens v. Bexar County and the City of San Antonio, et al

551.072-

Deliberation regarding real property:

- a. County's water rights on Cagnon Road
- b. 1379 – 1393 N. Brazos Street
- c. Property along SBC Parkway and Houston Street adjoining Bexar County Coliseum Property

551.086-

Deliberation regarding the following Economic Development Negotiations:

- d. Maxim Integrated Products, Inc. – Microchip Manufacturing/Tax Phase-in Application
- e. Aramark Uniform and Career Apparel, Inc. – Tax Phase-In Application
- f. Community Arena Project Expansion – partners include Spurs and San Antonio Livestock Exposition

3:15 p.m.



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

4:30 p.m.



Item – 67

October 10, 2006

Criminal District Attorney's Office

The Court hereby ordered and approved a motion approving a professional services agreement with the law firm of Clark, Thomas & Winters at the rate of \$150.00 per hour. (Record-agreement to be filed later)

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



A motion for adjournment was presented by County Commissioner Lyle Larson, duly seconded by County Commissioner Tommy Adkisson, which motion was voted on as follows: Commissioners Rodriguez, 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 Eusebio Garcia, Sr., Winston H. 'Harry' Pack, Col.(Ret.)E.F. 'Sandy' Faust, Willard L. Hanson, Elia S. De Hoyos, Marie Elizabeth Jaeckle Hilbig, and Stephen Vrana-Troutz* until Wednesday, October 11, 2006 at 9:00 a.m.

4:35 P.M.

NELSON W. WOLFF, COUNTY JUDGE
BEXAR COUNTY, TEXAS

ATTEST: GERRY RICKHOFF
 COUNTY CLERK
 BEXAR COUNTY, TEXAS
