

Orders of Commissioners Court
Bexar County, Texas

JANUARY 23, 2007

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 January 23, 2007.

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 Schweningen);
Keith L. Charlton, Executive Director - Criminal Justice Planning & Coordination Department;
David Marquez, Executive Director of Economic Development;
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;
Aurora Sanchez, Executive Director – Community & Development Programs Department; and
Gary O'Bar, Purchasing Agent.

When the following proceedings were had to-wit:

Gloria C. Arriaga, Deputy Executive Director of Alamo Area Council of Government gave the invocation at today's meeting. County Commissioner Paul Elizondo led the Pledge of Allegiance.



A letter of condolence is to be sent to the family of Dr. David Adolph Berchelmann expressing to them the sympathy of the court on the loss of their loved one. He was a graduate of Jefferson High School, University of Texas, Austin; St. Mary's University and St. Louis University School of Medicine in St. Louis, Missouri. He interned at Santa Rosa Hospital and pursued postgraduate education in obstetrics at the University of Texas Medical Branch, Galveston, Texas and Robert B. Green Hospital, Surgery of Trauma, San Antonio, Texas. As a veteran of World War II, he served as a naval physician. He joined his father, Dr. Adolph Berchelmann, at the Berchelmann Clinic, one of the few bilingual general practices in San Antonio. He joined the staff at Santa Rosa Hospital, teaching OBGYN to interns and residents. He also joined the staff of Grace Lutheran General Hospital on the Westside of San Antonio where he organized the OBGYN department, was appointed director of Medical Education and organized a family practice residency training program. He was appointed physician for Buckner Baptist Benevolence-Baptist Maternity Home, as well as the Texas Cradle Society. He was the appointed physician for the professional football team the Toros and the baseball team the San Antonio Missions. He was appointed the school physician for the Edgewood Independent School District and practiced at the Obstetrical Clinic at the San Antonio Metropolitan Health District from 1984-1998. He was a member of the following organizations: Fellow of the International College of Surgeons, Southern Medical Association, Bexar County Medical Society and Texas Medical Association. Because of his love of flying, he was recruited for the Civil Air Patrol, an auxiliary of the Air Force, reached the rank of Lt. Col. and became the flight surgeon for Group 19. He is survived by wife, Connie and children, Constance Joy, Adolph George Berchelmann, III, Judge David A. Berchelmann, Jr., Nancye Flasch, Mary Ellen Tallerico, and Penny Muller, 10 grandchildren, and numerous nieces and nephews.

A letter of condolence is to be sent to the family of Rene B. De Winne expressing to them the sympathy of the court on the loss of their loved one. He was a member of the Knights of Columbus. For many years he headed the Blue Santa program at St. Matthews Catholic Church, and was a faithful usher at their Saturday evening Mass. Rene was always supportive of ill parishioners, and never missed paying his respects to families of parishioners that had passed on. He enjoyed hunting for many, many years. He is survived by his children, Josephine Tippit, Cecilia Thomas, Rene De Winne, Jr, Bernadette De Winne, Camille De Winne, Janet Pircher, and Catherine Carruthers; 2 stepchildren, Diane Love, and Mark Purcell; 14 grandchildren; 3 great-grandchildren.

A letter of condolence is to be sent to the family of Fernando Guerra expressing to them the sympathy of the court on the loss of their loved one. Mr. Guerra attended Navarro Elementary, Joel Chandler Harris Middle School and Brackenridge High School. He also spent two years studying science at St. Mary’s University before attending the University of Texas in Austin. He graduated from the University of Texas College of Pharmacy in 1933. He was the first Mexican-American from San Antonio to graduate from the College of Pharmacy. He was first employed as a Pharmacist at Socorro Drug Store, located at South Pecos and Buena Vista. Subsequently, he worked for Navarro Drug Store. On August 12, 1939, he opened Farmacia Guerra at the corner of South Pecos and Guadalupe, and remained at this pharmacy until he sold it in 1973. At one time, he was the owner and operator of four pharmacies in San Antonio. Mr. Guerra was a very civic-minded individual and throughout the years gave much of his time and talent to a variety of boards, organizations and causes. He was honored with many awards, and in 1999, the City of San Antonio honored him by naming a street after him not far from where he grew up and operated his pharmacy. He took considerable pride in serving on a number of community boards, and participated in voluntary civic organizations including the Pan American Optimists, Bexar County and Texas Pharmaceutical Associations, Family Services Association, the Mexican Chamber of Commerce and St. Anthony’s Day Care Center Board. He also was appointed to the Federal Advisory committee for the Small Business Administration and the organizing committee for Hemisfair ’68. He was honored on many different occasions but has always had a very special appreciation for the tribute that was given to him by the San Antonio Association of Cuban Physicians in Exile who considered him their friend, advisor, mentor and advocate. He is survived by his wife, Herlinda Bernal Guerra; daughter, Dardanella G. Cardenas; son, Dr. Fernando A. Guerra, son, Raul E. Guerra and daughter, Irma G. Perez, Step-sons, Dr. Ernesto Bernal, and the Rev. Eddie Bernal; and 16 grandchildren and 25 great grandchildren and numerous nieces and nephews.

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

*Dr. David Adolph Berchermann
Rene B. De Winne
Fernando Guerra*



Item – 3a-d
January 23, 2007
CEREMONIAL ITEMS

The Court presented a Proclamation to Al J. Notzon, III for his service, dedication and leadership and commends him for his 40 years of outstanding service to our community by naming January 31, 2007 to be “Al J. Notzon, III Day” in Bexar County. (Record)

The Court presented a service pin recognizing the following Bexar County employee for twenty-five years of service: (Record)

| <u>Name</u> | <u>Years</u> | <u>Date Employed</u> | <u>Office/Department</u> |
|---------------|--------------|----------------------|--------------------------|
| Martha Salame | 25 | December 7, 1981 | County Clerk’s Office |

The Court presented a Certificate of Distinguished Service to Art Buford for fifteen years of service as Bexar County's first Fleet Maintenance Director. (Record)

The Court presented a Proclamation recognizing and proclaiming February 1-18, 2007 to be "Official Rodeo Season" in Bexar County and call upon the People of Bexar County to join in supporting the activities and mission of the San Antonio Stock Show & Rodeo to support the youth of Texas, education and agriculture. (Record)

The Court presented a Proclamation recognizing and proclaiming January 26, 2007 as "Cowboy Breakfast Day" and invites all citizens to join in the fun and support the Foundation's efforts to raise scholarship funds for local youths. (Record)



Item – 4a-c

January 23, 2007

SPECIAL PRESENTATION

The Court hereby ordered and approved a motion accepting a resolution by the Community Arenas Board regarding a proposed Capital Improvements to the Freeman Coliseum and grounds. (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".

A presentation by David Marquez recognizing the following government delegation from Shenyang, China: (Record)

Ms. Limin Hu, Chairman of the Board and General Manager, Committee of Tianzhu Township, Shunyi District.

Mr. Nan Zhou, General Manager, and Mr. Zhiyuan Hu, Office Manager, Real Estate Developing Company of Shenyang Metro Transportation

A Follow-up presentation by the South Texas Blood and Tissue Center on the Bexar County Holiday Blood Drive held during December 2006 and thanks the following County employees who participated: (Record)

- Adam Leos & Linda Amaro (Heritage Plaza)
- Kristie Merrill, Felipa Espinoza & Marilyn Thompson (Vista Verde Plaza)
- Carmella Guerrero & Christina Sanchez (Courthouse Annex)
- Valerie Sprague & Audry Ortegon (Juvenile Probation)
- Julian Garcia (Adult Probation)
- Yvonne Escamilla, Kristina Brunner & Mellie Cardona (Courthouse/Justice Center)



Item – 6
January 23, 2007

The Court hereby ordered and approved a motion approving the Consent Agenda (Items 10-58). (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 – 10
January 23, 2007
Commissioners Court

The Court hereby ordered and approved a motion approving a request from County Judge Nelson W. Wolff to reappoint Marie Stout to Keep San Antonio Beautiful for term to begin upon reappointment and expire on December 31, 2009. (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 – 11
January 23, 2007
Commissioners Court

The Court hereby ordered and approved a motion approving the Second Amendment to the Bexar County and the City of San Antonio Interlocal Agreement for Park Reservations, which extends the current term of the contract to September 30, 2007. (Record-agreement to be filed later)

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 – 12
January 23, 2007
Commissioners Court

The Court hereby ordered and approved a motion approving a resolution in support of Bexar County’s application, through the Center for Health Care Services, for a Texas Health Institute State Innovation Grant and declaring the Center as the administrative entity and appointment of Leon Evans as the grant administrator. (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 – 13
January 23, 2007
Commissioners Court

The Court hereby ordered and approved a motion approving a request from County Commissioner Sergio “Chico” Rodriguez, Precinct 1 to appoint Gilbert Perez to the Mission Creek Tax Increment Reinvestment Zone Board for a two-year term to begin upon appointment and expire on January 23, 2009. (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 – 14
January 23, 2007
Commissioners Court

The Court hereby ordered and approved a motion approving a request from County Commissioner Sergio “Chico” Rodriguez, Precinct 1 to appoint George Wilburn to the Mission Creek Tax Increment Reinvestment Zone Board for a two-year term to begin upon appointment and expire on January 23, 2009. (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 – 15
January 23, 2007
Criminal District Attorney's Office

The Court hereby ordered and approved a motion authorizing execution of Title IV-E purchase vouchers to be submitted to the Texas Department of Protective and Regulatory Services for reimbursement in the total amount of \$50,371.92, for legal services rendered by the Criminal District Attorney’s Office from September 2006 through November 2006. (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 – 16
January 23, 2007
Sheriff's Office

The Court hereby ordered and approved a motion approving the acceptance of \$2,000 from the City of Fair Oaks Ranch to Purchase equipment for the Sheriff’s SWAT/Negotiation Team. (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 – 17

January 23, 2007
Sheriff's Office

The Court hereby ordered and approved a motion approving a request to renew a contract between Bexar County and the Bexar County Hospital District dba University Health System to administer psychological evaluations on individuals referred by the Sheriff's Office at a cost of \$150 per evaluation for a term to begin December 1, 2006 and end November 30, 2008 with the option to extend the contract for an additional two-years. (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 – 18
January 23, 2007
Tax Assessor-Collector's Office

The Court hereby ordered and approved a motion approving a contract between Bexar County and Mike Shaw Texas Motors Inc. dba Fernandez Honda to act as a Deputy Tax Collector for the purpose of processing vehicle title and registration work. (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 – 19
January 23, 2007
County Auditor

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

\$ 4,630,837.22 (Checks printed 1/10/07)
\$ 941,381.94 (Checks printed 1/12/07)
\$10,970,169.71 (Checks printed 1/17/07)
\$ 426,081.60 (Checks printed 1/19/07)

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 – 20
January 23, 2007
County Auditor

The Court hereby ordered and approved a motion approving the payment of payrolls and auto allowances to be paid Wednesday, January 31, 2007. (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 – 21
January 23, 2007
County Auditor

The Court hereby ordered and approved a motion authorizing the County Auditor to pay bills through Friday, February 2, 2007 to include Claims Registers for January 24, 2007, January 26, 2007, January 31, 2007 and February 2, 2007. The list of bills to be paid will be presented to the Court on February 6, 2007. (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 – 22
January 23, 2007
County Auditor

The Court hereby ordered and approved a motion approving Tax Assessor-Collector’s Report of Taxes collected in December 2006, and approving the order transferring tax collections for the month of December 2006 from unallocated receipts. (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 – 23
January 23, 2007
Purchasing Department

The Court hereby ordered and approved a motion authorizing execution of a contract with Custom Staffing, LLC dba Search Associates & Consultants to provide Bexar County with a County Integrated Justice System (CIJS) Project Manager candidate as requested by the Bexar County Information Services Department. (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 – 24
January 23, 2007
Purchasing Department

The Court hereby ordered and approved a motion awarding a renewal contract with Delphax Technologies, Incorporated providing for a mainframe laser printer maintenance agreement for a one-year period under the same terms and conditions as requested by the Bexar County Information Services Department for an estimated amount of \$98,038 and authorizing the Purchasing Agent to execute contract modification and file appropriate award documents for record. (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 – 25
January 23, 2007
Purchasing Department

The Court hereby ordered and approved a motion awarding contracts to VWR International, Inc., Item 1 for \$13,667.36; SPEX Forensics, Item 2 for \$19,320.00 and Fisher Scientific Company L.L.C., Item 3 for \$4,321.54 for the purchase of laboratory equipment on a sole source basis as requested by the Criminal Justice Planning and Coordination Department in the combined total amount of \$37,308.90 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 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 – 26
January 23, 2007
Purchasing Department

The Court hereby ordered and approved a motion awarding a delivery order for the purchase of furniture from Herman Miller in the amount of \$25,936.34 as requested by the Criminal Justice Planning & Coordination and authorizing the Purchasing Agent to execute and file appropriate award documents for record. (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 – 27
January 23, 2007
Purchasing Department

The Court hereby ordered and approved a motion awarding a delivery order for the purchase of storage units from Professional Filing Systems in the amount of \$34,953.69 as requested by Bexar County Records Management & Technology Center and authorizing the Purchasing Agent to execute and file appropriate award documents for record. (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 – 28
January 23, 2007
Purchasing Department

The Court hereby ordered and approved a motion awarding the renewal of a contract with IBM, Corporation to provide hardware maintenance for Bexar County Information Services Department for the period beginning upon award and ending September 30, 2007 under the same terms and conditions in the amount of \$26,971 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 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 – 29
January 23, 2007
Purchasing Department

The Court hereby ordered and approved a motion awarding the renewal of a contract with American Critical Energy Systems Incorporated as requested by the Bexar County Infrastructure Services Department to provide Bexar County with Uninterrupted Power Supply (UPS) and Battery Systems Maintenance Services for a one-year period under the same pricing, terms and conditions for an estimated annual amount of \$51,000 and authorizing the Purchasing Agent to execute contract modification and file appropriate award documents for record. (Record-contract to be filed later)

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 – 30
January 23, 2007
Purchasing Department

The Court hereby ordered and approved a motion awarding a delivery order to Philpott Motors, Inc. for the purchase of two police interceptors, one mini van and one pickup as requested by Constable Pct 2, Constable Pct 3, Sheriff’s Office and the Purchasing Department in the combined amount of \$73,883.85 and authorizing the Purchasing Agent to execute and file appropriate award documents for record. (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 – 31
January 23, 2007
Purchasing Department

The Court hereby ordered and approved a motion awarding a delivery order for the purchase of three tack oil distributors and two tack distributors from Conley-Lott Nichols of Texas, Inc. in the amount of \$52,650 as requested by the Infrastructure Services Department; and authorizing the Purchasing Agent to execute and file appropriate award documents for record. (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 – 32
January 23, 2007
Purchasing Department

The Court hereby ordered and approved a motion authorizing execution of a contract with Salvaggio, Teal & Associates relative to the award of a contract by Commissioners Court on October 24, 2006 to provide Bexar County with consulting services for a countywide automated financial management system as requested by the Bexar County Financial System Executive Committee. (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 – 33
January 23, 2007
Information Services

The Court hereby ordered and approved a motion approving the Amendment to Communication Systems Joint Operations Agreement between Bexar County and the City of San Antonio to replace one of two County members of the Joint Operations Committee from the Executive Director of Infrastructure Services (or his/her designee) to the Chief Information Officer (or his/her designee). (Record-agreement to be filed later)

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 – 34
January 23, 2007
Information Services

The Court hereby ordered and approved a motion approving the Amendment to the professional services agreement between Bexar County and Sierra Systems, Inc., in order to extend the agreement for a period of three months and approve the Change Order Number Five to change scope of work, tasks and timeline for the County Magistration process at no cost to the County. (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 – 35
January 23, 2007
Community and Development Programs

The Court hereby ordered and approved a motion approving execution of the Intergovernmental Cooperative Agreement between Bexar County and the City of Live Oak for sewer main improvements, utilizing Program Year 2005 Community Development Block Grant funds in the total amount of \$50,000. (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 – 36

January 23, 2007

Community and Development Programs

The Court hereby ordered and approved a motion approving the Program Management Agreement between Bexar County and Highland Oaks Subdivision providing \$204,243 in Program Year 2006 Community Development Block Grant funds for the reconstruction of Memorial Lane within the Highland Oaks Subdivision. (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 – 37

January 23, 2007

Community and Development Programs

The Court hereby ordered and approved a motion approving execution of the Intergovernmental Cooperative Agreement between Bexar County and the City of Converse for sewer improvements, utilizing Program Year 2006 Community Development Block Grant fund in the total amount of \$70,000. (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 – 38

January 23, 2007

Community and Development Programs

The Court hereby ordered and approved a motion approving the Program Management Agreement between Bexar County and City of Kirby providing \$100,000 in Program Year 2006 Community Development Block Grant funds for the reconstruction of Lehman Street within the City of Kirby. The City of Kirby will provide the funds for the professional design and construction administration. (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 – 39

January 23, 2007

Community and Development Programs

The Court hereby ordered and approved a motion approving the Program Management Agreement between Bexar County and City of Somerset providing \$60,000.00 in Program Year 2006 Community Development Block Grant funds to commission an engineering study for the development and design of a citywide Master Drainage Plan. (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 – 40

January 23, 2007

Community and Development Programs

The Court hereby ordered and approved a motion approving execution of the Second Amendment to the Program Management Agreement with Casa Helotes Senior Citizen Center using left over funds totaling \$5,085 from PY 2003, 2005 and \$60,000 from Program Year (PY) 2006 Community Development Block Grant funds. This amendment adds \$60,000 in Program Year 2006 CDBG funds for the completion of Phase III of the Casa Helotes Senior Center Expansion Project (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 – 41

January 23, 2007

Infrastructure Services

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

Stop Zones:

Precinct Number 1

- Siena View at intersection with Tramonto Hill (Stop at Siena View)
- Palladio Place at intersection with Tramonto Hill (Stop at Palladio Place)
- Caprese Hill at intersection with Spello Circle (Stop at Caprese Hill)
- Spello Circle at intersection with Bella Vista Place (Stop at Spello Circle)
- Cardinal Way at intersection with Redbird Pass (Stop at Cardinal Way)
- Coopers Hawk at intersection with Redbird Pass (Stop at Coopers Hawk)
- Perch Ledge at intersection with Cardinal Way (Stop at Perch Ledge)

School Zone: (20 mph 7:00am – 9:00am and 2:00 pm and 4:00 pm, school days only)

Precinct Number 1

Smith Road from 6,580 feet west of Highway 16 to 7,425 feet west of Highway 16, shall be 30 mph.

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 – 42
January 23, 2007
Infrastructure Services

The Court hereby ordered and approved a motion accepting the following streets and drains in the identified subdivisions for County maintenance to begin January 23, 2007: (Record)

| <u>Subdivision</u> | <u>Street/Drain</u> |
|--|---|
| Heritage Park Unit 26 (Precinct Number 1) | Barhill Bay (1,060.38 Type "L") Edison Crest (268.86 Type "L") Carswell Bend (293.24 Type "L") Acadian Drive (320.10 Type "L") |
| Amberwood Unit 1 (Precinct Number 1) | |
| Heritage Park Unit 25 (Precinct Number 1) | Hawksbill Peak (1,308.24 Type "L") Sungate Park (729.77 Type "L") Edison Crest (82.74 Type "L") Wega Street (206.10 Type "L") Carswell Bend (432.99 Type "L") Camden Bay (349.80 Type "L") Beacon Point (140.66 Type "L") |

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 – 43-49
January 23, 2007
Infrastructure Services

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

Subdivision plat of Trophy Ridge Unit 4, owner: Laredo C., LTD., located southeast of Rousseau and Potranco Road, not within the Edwards Aquifer Recharge Zone. Precinct No.1.

Subdivision plat of KB Culebra Unit 1, owner: KB Home, located southwest of Gass Road and Culebra Road, not within the Edwards Aquifer Recharge Zone. Precinct No.1.

Subdivision plat of Park Place II Unit 7, owner: XL Equity Partners, L.P., located southwest of Wooden Fox and Ashbury Creek, not within the Edwards Aquifer Recharge Zone. Precinct No.1.

Subdivision plat of Silver Oaks Unit 2 Phase B, owner: Centex Homes, located northwest of Highway 1560 and Silver Pointe, not within the Edwards Aquifer Recharge Zone. Precinct No.2.

Subdivision plat of Limestone Ranch Unit 2 Planned Unit Development, owner: Green Land Ventures, LTD., located west of Limestone Pass and Autumn Terrace, not within the Edwards Aquifer Recharge Zone. Precinct No.3.

Subdivision plat of Mountain Lodge Unit 6A3-6A4, owner: 281 Canyon Partners, LTD., located east of Misty Peak and Mountain Crest, within the Edwards Aquifer Recharge Zone. Precinct No.3.

Subdivision plat of The Preserve at Indian Springs Unit 4 Phase 2, owner: HLL Land Acquisitions of Texas L.P., located northeast of Wilderness Oak and Preserve Parkway, within the Edwards Aquifer Recharge Zone. Precinct No.3.

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 – 50
January 23, 2007
Infrastructure Services

The Court hereby ordered and approved a motion authorizing the purchase of right-of-way, Parcel Number 18, Braun Road, being 0.025 of an acre, from 9960 Braun Road, LP, a Texas Limited Partnership, acting by and through 9960 Braun Road Management, LLC, a Texas Limited Liability Company, its General Partner for monetary consideration of \$3,158. Precinct No.2. (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 – 51
January 23, 2007
Infrastructure Services

The Court hereby ordered and approved a motion authorizing the purchase of right-of-way northwest corner of Kriewald and Pue Roads, being 1098.45 square feet of land, from the Board of Trustees of the Southwest Independent School District for a total consideration of \$325. Precinct No.1. (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 – 52
January 23, 2007
Infrastructure Services

The Court hereby ordered and approved a motion authorizing the County Judge to execute the Interlocal Agreement between Bexar County and City of St. Hedwig for Bexar County Public Works to provide pavement preparation and chip seal services to St. Hedwig. Precinct No.4. (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 – 53
January 23, 2007

Infrastructure Services

The Court hereby ordered and approved a motion authorizing the County Judge to execute Field Alteration Number 2 to the contract between Bexar County and Evans and Evans, Inc. in connection with Ventura Subdivision Phase VI, BC 2006-165, increasing the contract amount by \$77,953.70. Precinct No.4.

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 – 54
January 23, 2007
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 30,073 square feet of office space located at 601 Dolorosa, at an initial rate of \$32,779.57 per month, for the continued operation of the Adult Probation Office. Precinct No.4.

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 – 55
January 23, 2007
Planning and Resource Management

The Court hereby ordered and approved a motion approving the following budgetary transfers: (Record)

| <u>Office/Department</u> | <u>BT#</u> | <u>Amount</u> | <u>From</u> | <u>To</u> |
|--------------------------|------------|---------------|--|--|
| Justices of the Peace | 019 | \$20,675 | Justices of the Peace Technology Fund; PC Upgrades | Justices of the Peace Technology Fund; Technology Improvement Fee |

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 – 56
January 23, 2007
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 and authorizing other matters incident and related thereto; to be effective January 23, 2007. (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 – 57
January 23, 2007
Economic Development

The Court hereby ordered and approved a motion authorizing the County Judge to execute the economic development grant agreement pursuant to Chapter 381 of the Texas Local Government Code to the City of Windcrest for the amount of \$10,000, to support the operating activities of the Walzem Road Area Revitalization, Inc. (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 – 58
January 23, 2007
Economic Development

The Court hereby ordered and approved a motion approving the resolution relating to the County's support for the Texas Bio-and Agro-Defense Consortium application to the Department of Home Land Security for a National Bio-and Agro-Defense Facility. (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".



Commissioners Court recessed at this time. 12:40 p.m.



Commissioners Court reconvened at this time. 2:20 p.m.
County Judge Nelson W. Wolff and Commissioner Tommy Adkisson were not present.
Commissioner Paul Elizondo is presiding officer.



Item – 7
January 23, 2007

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

- a. Proposed Abandonment and Discontinuance of the Kerrville Subdivision From MP 253.26 to MP 256.0 near Beckmann in Bexar County, Texas; STB Docket No. AB-33 (Sub-No.236X), Union Pacific Railroad Company – Abandonment Exemption and STB Docket No. AB-576 (Sub-No.2X) – Discontinuance Exemption.
- b. Citation to Bexar County – Ricardo Martinez vs. Bexar County, Texas by Serving Judge Nelson Wolff;
- c. Mediation Settlement Agreement to Bexar County – So Young Kim vs. County of Bexar, et al;
- d. Modification of Contract with Schindler Elevator Corporation, extending contract to January 31, 2007;
- e. Modification of Contract with American Critical Energy Systems, Inc., extending contract to January 31, 2007;
- f. Modification of Contract with Diebold Information & Security Systems, LLC, extending contract to January 31, 2008;
- g. Modification of Contract with First southwest Asset Management, Inc., extending contract to January 4, 2008;
- h. Certification of Course Completion, Open Meeting Act, to Judge Nelson W. Wolff, Government Code, Section 551.005, Certificate is issued effective 31st day of December, 2006; and
- i. Notice of Complaint – Claudia Sisk v. University Health System, et al.; USDC, Western District of Texas, San Antonio Division; BCHD No.; 2006-12; Our File No.: 3815-143.



Item – 8
January 23, 2007

The Court hereby ordered and approved a motion approving Commissioners Court minutes of Monday, January 8, 2007 and Thursday, January 18, 2007 as printed. (Record)

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, and Larson voting “Aye”.



Item – 9
January 23, 2007

Communications, including citizens who signed the registration form and reports. (Record)

John Clamp – Item 5a
 Faris Hodge, Jr.

George Block – Item 5a



County Commissioner Tommy Adkisson joined the meeting at this time.



Item – 5a
January 23, 2007

A Presentation by Gordon Hartman regarding the development of amateur athletic facilities in Bexar County. (Record)



County Judge Nelson W. Wolff joined the meeting at this time.



Item – 68
January 23, 2007
Economic Development

The Court hereby ordered and approved a motion directing staff to negotiate a 6-year, Tax Phase-In Agreement abating 72% of all real property and 60% of all personal property with, Microsoft Corporation. (Record)

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



Item – 5b
January 23, 2007

A Presentation by Gilbert Olivares, General Manager with BexarMet Water District on BexarMet operations for 2007. (Record)



Item – 64
January 23, 2007
Infrastructure Services

The Court hereby ordered and approved a motion approving the Interlocal Agreement between Bexar County and the City of San Antonio for the redevelopment of Main Plaza and providing for a contribution not to exceed \$2,500,000 for construction of the project. (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”.



Item – 62
January 23, 2007
Probate Courts

The Court hereby ordered and approved a motion approving a request from the Bexar County Probate Courts to create and appoint an Associate Judge at a salary of \$101,388 (Unclassified Positions, Table 99) and benefits of \$18,153.21 for a total cost of \$119,541.52 using the Probate Contribution Fund 017 Budget for a period effective January 23, 2007 and to expire September 30, 2007. The Court finds that funding of this position from the Probate Contribution Fund is required because of an emergency situation caused by the decision of Judge Tom Rickhoff, Probate Court #2, to cease hearing mental-health cases. (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, Larson, Adkisson, and Judge Wolff voting “Aye”.



Item – 65
January 23, 2007
Infrastructure Services

The Court hereby ordered and approved a motion approving the funding authorization not to exceed \$3,457,020 to support final design, project management and real estate activity by the San Antonio River Authority on the San Antonio River Improvements Project Mission Reach. (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 – 66
January 23, 2007
Infrastructure Services

Discussion was held regarding the status report on the San Antonio River Improvement Museum Reach Project. (Record)

No action was taken.



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



Item – 63
January 23, 2007
Purchasing

The Court hereby ordered and approved a motion awarding a contract to the lowest and best bid from Waste Management of Texas, Inc. for the purchase of refuse collection services as requested by the Bexar County Infrastructure Services Department in the contract amount of \$303,279.24 and authorizing the Purchasing Agent to

execute and file appropriate award documents for record. This contract will be for a period of one year beginning February 1, 2007 and terminating January 31, 2008. (Record)

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

♠♠

County Commissioner Paul Elizondo returned to the meeting during discussion and is presiding officer.

♠♠

Item – 59

January 23, 2007

Government Relations

Discussion was held regarding the request to amend the Bexar County Legislative Program for the 80th Session of the Texas Legislature. (Record)

The Court hereby ordered and approved a motion amending Introduce Section, adding Item 25 to read “Venue Sales Tax Capture: Allow the creation of a mechanism to capture the sales tax revenue generated within county venues to be used by the county for capital improvements associated with those venues.

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”.

The Court hereby ordered and approved a motion amending Oppose Section, adding Item 4 to read “Enhanced Sentencing: Oppose enhanced sentencing for non-violent, misdemeanor offenses that could lead to further jail crowding and increase the burden on local taxpayers.”

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

The Court hereby ordered and approved a motion amending Oppose Section, adding Item 5 to read “State Hospital Rationing: Oppose the continued implementation of policies and procedures that reduce the number of state hospital mental health beds, limit forensic commitments, impose significant delays and transportation requirements, and generally shift costs from the state to local governments while lowering quality of care.”

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

♠♠

County Judge Nelson W. Wolff returned to the meeting during discussion.

♠♠

Item – 60

January 23, 2007

Fire Marshal's Office

Discussion was held regarding the status report on the fire burning in the unincorporated area of Bexar County near the city limits of Helotes. (Record)

The Court hereby ordered and approved a motion approving additional funding in the amount of \$50,000, to provide temporary shelter for area residents experiencing health impacts caused by the Helotes fire, for a period not to exceed 30 days, and approving the following appropriate budgetary transfer: (Record)

| <u>Office/Department</u> | <u>BT#</u> | <u>Amount</u> | <u>From</u> | <u>To</u> |
|----------------------------------|------------|---------------|----------------------------------|-----------------------|
| Planning and Resource Management | 022 | \$50,000 | General Fund: Undesignated Funds | Travel, Discretionary |

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



Item – 61
January 23, 2007
County Clerk

Drawing the following names from the 2006 Grand Jury List, nine of which will serve on the 2007 Salary Grievance Committee. (Record)

| | |
|--------------------------|-------------------------------|
| Jose Alberto Arechiga | Olivia O. Duvernay, Alt |
| Mark David Trevino | Michelle Limon, Alt |
| Karen E. Adler | Peggy A. Aguilar, Alt |
| Rebecca Davila Rodriguez | Terrence Williams, Alt |
| Martin L. Harper | Gary W. Martin, Alt |
| Ralph Soto | Christine Andrea Hagerty, Alt |
| Thomas William Gossert | Maria T. Tobias, Alt |
| Arthur Hernandez | Criselda Escamilla, Alt |
| Nolberta G. Valdea | Irene Collaza, Alt |



Item – 67
January 23, 2007
Infrastructure Services

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

No action was taken.



Item – 69
January 23, 2007
Criminal Justice Planning and Coordination

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

No action was taken.



County Commissioner Lyle Larson left the meeting at this time.



Item – 70

January 23, 2007

Planning and Resource Management

The Court hereby ordered and approved a motion approving the following budgetary transfer in the amount of \$684,519 for Library Services and approval of a centralized process for monitoring City/County contracts. (Record)

| <u>Office/Department</u> | <u>BT#</u> | <u>Amount</u> | <u>From</u> | <u>To</u> |
|----------------------------------|------------|---------------|--|------------------|
| Planning and Resource Management | 152 | \$684,519 | Encumbrance Previous FY Perf. Review Recommendation Gasoline Contingency | Library Services |

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”.



Item – 74

January 23, 2007

Information Services

The Court hereby ordered and approved a motion approving the following orders associated with a multi-County Juvenile Case Management System (JCMS): (Record)

- a. Order approving Amendment No. 1 to Techshare Juvenile Case Management System (JCMS) Project Addendum between Tarrant, Dallas, and Bexar Counties and the Texas Conference of Urban Counties (CUC) including project services to be provided by the CUC and local implementation at a cost to Bexar County of \$3,622,609;
- b. Order approving execution of a contract between CUC and Sierra Systems to analyze, design, develop, construct, and install the Juvenile Case Management System on the CUC technical environment for \$6,982,055 (Bexar County share included in cost above);
- c. Order approving project fund expenditures in the amount of \$54,000 for BCIS project related expenses including hardware, software and testing tools related to the Bexar County project; and
- d. Order approving temporary promotion for an Analyst Programmer II, E-07 to a JCMS Project Analyst Programmer II, E-08 with an increase in salary of approximately \$3,000 per year beginning January 31, 2007 and ending on January 31, 2009.

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”.



Item – 75

January 23, 2007

Information Services

The Court hereby ordered and approved a motion approving a request for reimbursement to the GIS Manager, Colby Free for moving expenses related to his relocation from Williamsburg, VA to Bexar County in the amount of \$2,272.57 including the appropriate budgetary transfer. (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, Adkisson, and Judge Wolff voting "Aye".



Commissioners Court met in Executive Session at this time pursuant to Chapter 551, Texas Government Code and the following items were discussed:

551.071 –

Consultation with Attorney for advice regarding:

a. Pending or contemplated litigation or settlement offers in the following matters:

- i. Bexar County Self-Insured Governmental Entity under the Texas Labor Code v. Manuel Hernandez
- ii. Crecencio Fragoza v. Bexar County Constable's Office, Precinct 1, et al
- iii. Griselda Tellez, et al. v. Bexar County, Texas
- iv. Collective Bargaining Contract Grievance 2006-GC-07, Deduction of Leave for Roll Call Employees, Submitted by Avery Walker, DSABC President, and Collective Bargaining Contract Amended Grievance 2006-DSABC- Class 01 & 02, Deduction of Leave for Roll Call Employees, Submitted by Avery Walker, DSABC President, dated November 6, 2006 and Collective Bargaining Agreement Contract Grievance 2006-GC-Class 3, submitted by Avery Walker, DSABC President, dated December 4, 2006.

b. Legal issues pertaining to the following matters in which the duty of the attorney for Bexar County under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act:

- i. Fire burning in unincorporated Bexar County near the city limits of Helotes
- ii. Job title changes affecting deputy sheriffs

6:00 P.M.



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

7:00 P.M.



Item – 71

January 23, 2007

Planning and Resource Management

Discussion was held regarding approval of a proposed settlement agreement with the Deputy Sheriffs Association of

Bexar County (DSABC) to resolve the following items: Collective Bargaining Contract Grievance 2006-GC-07, Deduction of Leave for Roll Call Employees, Submitted by Avery Walker, DSABC President, and Collective Bargaining Contract Amended Grievance 2006-DSABC- Class 01 & 02, Deduction of Leave for Roll Call Employees, Submitted by Avery Walker, DSABC President, dated November 6, 2006 and Collective Bargaining Agreement Contract Grievance 2006-GC-Class 3, submitted by Avery Walker, DSABC President, dated December 4, 2006. (Record)

This item was considered together with Items 72 and 73. Action was taken under Item 72.



Item – 72

January 23, 2007

Planning and Resource Management

The Court hereby ordered and approved a motion approving a request from the Sheriff concerning job title changes affecting deputy sheriffs, which are subject to periodic review at the discretion of the Commissioners Court, and such approval is contingent upon the execution by Deputy Sheriff's Association of Bexar County ("DSABC") of the following documents: (1) Settlement Agreement concerning Contract Grievance Nos. 2006-GC-07, 2006-DSABC-CLASS 01 and 2006-DSABC-CLASS 02; and (2) Settlement Agreement concerning Contract Grievance No. 2006-DSABC-CLASS 03; and (3) a Letter of Mutual Intent resolving other issues related to the collective bargaining agreement. Thereafter David L. Smith, Executive Director of Resource Management and Planning Department, is authorized to sign these documents for Bexar County. (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, Adkisson, and Judge Wolff voting "Aye".



Item – 73

January 23, 2007

Planning and Resource Management

Discussion was held regarding an agreement with the Deputy Sheriffs Association of Bexar County (DSABC) to resolve issues related to the collective bargaining agreement. (Record)

This item was considered together with items 71 and 72. Action was taken under Item 72.



Item – 76

January 23, 2007

Criminal District Attorney's Office

Discussion was held regarding a settlement proposal in the following workers compensation lawsuit: 2005-CI-09133 Bexar County Self-Insured Governmental Entity under the Texas Labor Code v. Manuel Hernandez.

No action was taken.



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 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 Dr. David Adolph Berchermann, Rene B. De Winnie and Fernando Guerra* until Tuesday, February 6, 2007 at 11:00 a.m.

7:05 P.M.

NELSON W. WOLFF, COUNTY JUDGE
BEXAR COUNTY, TEXAS

ATTEST: GERRY RICKHOFF
 COUNTY CLERK
 BEXAR COUNTY, TEXAS
