

Orders of Commissioners Court  
Bexar County, Texas

**TUESDAY, JULY 10, 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 Tuesday, July 10, 2007.

Present at roll call:

Nelson W. Wolff, County Judge;  
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;  
Gerard Rickhoff, County Clerk (Rep. by Leonor Salazar);  
Susan Reed, District Attorney (Rep. by Ed Schweninger);  
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:

Melissa Shannon, Economic Development Manager, gave the invocation at today's meeting. County Commissioner Lyle Larson led the Pledge of Allegiance.

County Commissioner Sergio “Chico” Rodriguez is excused from today’s meeting. He’s attending county business.



A letter of condolence is to be sent to the family of Victoria A. Mery expressing to them the sympathy of the court on the loss of their loved one. She was an active member of the Ladies’ Altar Society of St. George and the Bey Aleph Club. She had a vivacious personality, an inquisitive mind, a quick wit, and a radiant smile. She is survived by her children; Yvette Marie Haase, Darlene Ann Massad, A.K. Mery, Jr. and Michael Edward Mery; 15 grandchildren, three great-grandchildren and numerous nieces, nephews and friends.

A letter of condolence is to be sent to the family of Russell Lawrence Lown expressing to them the sympathy of the court on the loss of their loved one. Mr. Russell was a life long San Antonian, graduated from Thomas Jefferson High School where he was the captain of the band. After serving in the Army Air Corps during World War II, he completed his education at Texas A&M University ('46) where he was president of Hillel. He remained a loyal and exuberant Aggie. He spent his career as an architect, engineer and builder He loved to travel and left his mark on the world with buildings of his design and construction standing on three continents-North America, Europe and Asia. He is survived by his wife, Lois; and his daughter, Ruth.

A letter of condolence is to be sent to the family of Maxell F. Gates expressing to them the sympathy of the court on the loss of their loved one. Mr. Gates was a true country boy, originally from Kansas, he moved to Texas to raise his family. He spent most of his days working on the farm and even at 84, regardless of who tried to slow him down, you could still catch him driving his tractors and tending to his animals. He was a person who could always bring a smile to your face, whether through telling you a story of his day's excitement, or just by looking at you with those blue eyes and the grin he wore half cocked like his hat. If you would ask him what meant most to him in his life, he would reply in his deep southern drawl, God, family and the farm. He is survived by wife, Willie Mae Gates, children, Lynell Horne, Billy Gates, Gordon Gates, Burnell Gates and numerous grandchildren, great grandchildren and great-great grandchildren.

A letter of condolence is to be sent to the family of Joe "Joedy" Niemeier expressing to them the sympathy of the court on the loss of their loved one. He is survived by his sons, Ray Niemeier and Dennis Niemeier; 7 grandchildren and 4 great grandchildren.

A letter of condolence is to be sent to the family of Augusta J. Shandera expressing to them the sympathy of the court on the loss of their loved one. She attended local Catholic school in Moulton. She was interested in design and fashion, made articles using exotic cloths for family and friends. She was active in the parent-teacher club of St. Margaret Mary parish and the altar society of Holy Sprit parish. She is survived by her son, Dr. Wayne Xavier Shandera and a granddaughter, Lori Johanna McCarthy.

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

*Victoria A. Mery  
Russell Lawrence Lown  
Maxell F. Gates  
Joe "Joedy" Niemeier  
Augusta Johanna (Raab) Shandera*



**Item – 3  
July 10, 2007**

**Ceremonial Items**

The Court presented service pins recognizing the following Bexar County employees for 25 and 30 years of service:  
(Record)

<u>Name</u>	<u>Year</u>	<u>Office/Department</u>
Jacquelyn V. Carroll	25	County Courts at Law
Reynaldo V. Lujan	25	Sheriff's Office
Gabriel L. Magallanes	25	Sheriff's Office
Jesus Ramirez	25	Sheriff's Office
Randall S. Stang	25	Sheriff's Office

The Court presented a Proclamation to the Hispanic Contractors Association De San Antonio, Inc., proclaiming July 21, 2007 as "Hispanic Contractors Association De San Antonio Wild Wild West Shoot-Out Day." (Record)

The Court presented a Certificate of Distinguished Service to Donald A. Rodriguez for his outstanding leadership in the HIV/AIDS Community and for the four years of dedicated service on the San Antonio HIV Health Service Planning Council. (Record)



**Item – 5**  
**July 10, 2007**

The Court hereby ordered and approved a motion approving Consent Agenda (items 9-67) with the exceptions of items 12 & 41, which will be discussed separately.

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



**Item – 9**  
**July 10, 2007**  
**Commissioners Court**

The Court hereby ordered and approved a motion ratifying a five-signature letter to the City of San Antonio regarding Zoning Case #Z-4 presented to San Antonio City Council on June 21, 2007. (Record)

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



**Item – 10**  
**July 10, 2007**  
**Commissioners Court**

The Court hereby ordered and approved a motion approving the following nominee(s) and alternate nominee to the San Antonio HIV Area Health Services Planning Council for a second term of membership to begin on July 10, 2007 and expire as listed below: (Record)

<u>Name</u>	<u>Membership Category</u>	<u>Term Ends</u>
John Fike	Affected Community	02/28/09
Gloria Salinas Garcia	Title II (Part B) Grantee	02/28/09
Roberto Herrera	Substance Abuse Service	02/28/08
John Earl Jackson	Affected Community	02/28/08
Robert Perales	AIDS Service Organization	02/28/09
Eduardo Flores	Alternate: Title II (Part B)	02/28/09

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



**Item – 11**  
**July 10, 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 \$62,084.83, for legal services rendered by the Criminal District Attorney’s Office from December 2006 to February 2007. (Record)

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

Tommy Adkisson, which motion was voted on as follows: Commissioners Elizondo, Larson, Adkisson, and Judge Wolff voting “Aye”.



**Item – 13**

**July 10, 2007**

**Tax Assessor-Collector’s Office**

The Court hereby ordered and approved a motion approving a request for the waiver of penalty and interest for the Bexar County taxing jurisdiction, in the amount of \$172.06 on account #16090-017-0100, Daniel Bowholtz, tax year 2006, in accordance with Section 33.011 of the Texas Property Code. (Record)

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



**Item – 14**

**July 10, 2007**

**Tax Assessor-Collector’s Office**

The Court hereby ordered and approved a motion approving a request for the waiver of penalty and interest for the Bexar County taxing jurisdiction, in the amount of \$3.53 on account #15724-000-0133, Juan Flores, tax year 2006, in accordance with Section 33.011 of the Texas Property Tax Code. (Record)

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



**Item – 15**

**July 10, 2007**

**Tax Assessor-Collector’s Office**

The Court hereby ordered and approved a motion approving a request for the waiver of penalty and interest for the Bexar County taxing jurisdiction, in the amount of \$188.93 on account #13607-101-0070, David Gruber, tax years 2005-2006, in accordance with Section 33.011 of the Texas Property Code. (Record)

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



**Item – 16**

**July 10, 2007**

**Tax Assessor-Collector's Office**

The Court hereby ordered and approved a motion approving a request for the waiver of penalty and interest for the Bexar County taxing jurisdiction, in the amount of \$33.34 on account #04702-106-0510, Kathy Haygood, tax year 2006, in accordance with Section 33.011 of the Texas Property Tax Code. (Record)

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



**Item – 17**

**July 10, 2007**

**Tax Assessor-Collector's Office**

The Court hereby ordered and approved motion approving a request for the waiver of penalty and interest for the Bexar County taxing jurisdiction, in the amount of \$76.17 on account #15171-083-0260, Debbie Smith, tax year 2006, in accordance with Section 33.011 of the Texas Property Tax Code. (Record)

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



**Item – 18**

**July 10, 2007**

**Tax Assessor-Collector's Office**

The Court hereby ordered and approved a motion approving a request for the waiver of penalty and interest for the Bexar County taxing jurisdiction, in the amount of \$92.68 on account #00000-105-4640, Jeff Lilly, tax year 2006, in accordance with Section 33.011 of the Texas Property Tax Code. (Record)

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



**Item – 19**

**July 10, 2007**

**Tax Assessor-Collector's Office**

The Court hereby ordered and approved a motion approving a request for the waiver of penalty and interest for the Bexar County taxing jurisdiction, in the amount of \$104.83 on account #18607-051-0510, Jim and Debbie McKissick, tax year 2006, in accordance with Section 33.011 of the Texas Property Code. (Record)

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



**Item – 20**

**July 10, 2007**

**Tax Assessor-Collector's Office**

The Court hereby ordered and approved a motion approving a request for the waiver of penalty and interest for the Bexar County taxing jurisdiction, in the amount of \$162.09 on account #07645-004-0530, Edgar Modesto, tax year 2006, in accordance with Section 33.011 of the Texas Property Code. (Record)

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



**Item – 21**

**July 10, 2007**

**Tax Assessor-Collector's Office**

The Court hereby ordered and approved a motion approving a request for the waiver of penalty and interest for the Bexar County taxing jurisdiction, in the amount of \$160.05 on account #15675-003-0100, Amparo Oseguera, tax year 2006, in accordance with Section 33.011 of the Texas Property Code. (Record)

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



**Item – 22**

**July 10, 2007**

**County Auditor**

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

\$ 224,465.37 (Checks printed 6/22/2007)  
\$ 3,742,347.93 (Checks printed 6/27/2007)  
\$12,585,588.96 (Checks printed 6/29/2007)  
\$ 7,345,998.29 (Checks printed 7/03/2007)

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



**Item – 23**

**July 10, 2007**

**County Auditor**

The Court hereby ordered and approved a motion approving the payment of payrolls, including overtime, and auto allowances to be paid Friday, July 13, 2007. (Record)

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



**Item – 24**  
**July 10, 2007**  
**County Auditor**

The Court hereby ordered and approved a motion approving and authorizing the County Auditor to pay bills through July 20, 2007, to include Claims Registers for July 11, 2007, July 13, 2007, July 18, 2007, and July 20, 2007. The list of bills paid will be presented to the Court on Tuesday, July 24, 2007. (Record)

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



**Item – 25**  
**July 10, 2007**  
**County Auditor**

The Court hereby ordered and approved a motion approving to pay an invoice from First Southwest Asset Management, Inc., in the amount of \$59,460 for arbitrage rebate compliance services for general obligation bonds, certificates of obligation, and commercial paper notes. The invoice is for 14 separate issuances and covers the periods of September 30, 2003 through September 30, 2006. (Record)

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



**Item – 26**  
**July 10, 2007**  
**Information Services**

The Court hereby ordered and approved a motion accepting the report regarding the hiring of a CIJS Project Manager; and approving a temporary salary adjustment in the amount of \$834 a month, in lieu of earning discretionary time for the Applications Development Manager (Table/Grade E-11) to be paid from CIJS Project Funds, effective July 15, 2007 and terminating upon completion of the Bexar County Intergraded Justice System (CIJS) Project. (Record)

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



**Item – 27**  
**July 10, 2007**  
**Purchasing Department**

The Court hereby ordered and approved a motion approving a Novation Agreement between Bexar County, Banc of America Leasing & Capital, LLC and Banc of America Public Capital Corp, recognizing the transfer of assets in the Bexar County Master Equipment Lease/Purchase Agreement, dated April 26, 2005 between Banc of America Leasing & Capital LLC, and Bexar County; and authorizing document execution and file for record. (Record)

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



**Item – 28**  
**July 10, 2007**  
**Purchasing Department**

The Court hereby ordered and approved a motion approving the purchase of metal bunk beds, ladders and dining tables from the Texas Department of Criminal Justice, Texas Correctional Industries/Metal Division, as requested by the Bexar County Sheriff’s Office that was made on a discretionary exemption basis in the amount of \$161,376.00 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 Tommy Adkisson, which motion was voted on as follows: Commissioners Elizondo, Larson, Adkisson, and Judge Wolff voting “Aye”.



**Item – 29**  
**July 10, 2007**  
**Purchasing Department**

The Court hereby ordered and approved a motion rejecting all bids received for IFB 2007-78, Auction Services for Seized Property, as requested by the Bexar County Sheriff’s Office; and authorizing the Purchasing Agent to advertise a new Invitation for Bid based on a revised schedule of items and payment provisions. (Record)

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



**Item – 30**  
**July 10, 2007**  
**Purchasing Department**

The Court hereby ordered and approved a motion authorizing the Purchasing Agent to advertise an Invitation for Bids for the purchase of Medical Laboratory Test Services to screen for infectious diseases, as requested by the Bexar County Community Supervision and Corrections Department. (Record)

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



**Item – 31**  
**July 10, 2007**  
**Purchasing Department**

The Court hereby ordered and approved a motion authorizing the Purchasing Agent to advertise an Invitation for Bids to purchase food items, as requested by the Bexar County Community Supervision and Corrections Department, Mentally Impaired Offenders Facility. (Record)

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



**Item – 32**  
**July 10, 2007**  
**Purchasing Department**

The Court hereby ordered and approved a motion authorizing the Purchasing Agent to advertise an Invitation for Bids for the purchase of construction services for the 2007 Slurry Seal Project, as requested by the Bexar County Infrastructure Services Department. (Record)

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



**Item – 33**  
**July 10, 2007**  
**Purchasing Department**

The Court hereby ordered and approved a motion awarding a contract to the lowest and best bid to the Whitlock Group for the purchase and installation of audio visual equipment for the Vista Verde Building, as requested by the Bexar County Infrastructure Services Department in the amount of \$33,653.11; 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 Tommy Adkisson, which motion was voted on as follows: Commissioners Elizondo, Larson, Adkisson, and Judge Wolff voting “Aye”.



**Item – 34**  
**July 10, 2007**  
**Purchasing Department**

The Court hereby ordered and approved a motion awarding a delivery order to Miracle Recreation Equipment Co., for the purchase and installation of playground equipment for Bullis Park, Precinct #3, as requested by the Bexar County Infrastructure Services Department in the amount of \$104,800; 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 Tommy Adkisson, which motion was voted on as follows: Commissioners Elizondo, Larson, Adkisson, and Judge Wolff voting "Aye".



**Item – 35**

**July 10, 2007**

**Purchasing Department**

The Court hereby ordered and approved a motion awarding a delivery order to Centennial Contractors Enterprises, Inc. for the purchase of construction services for the office renovation on the fourth floor of the Vista Verde Plaza Building, as requested by the Bexar County Infrastructure Services Department in the amount of \$33,319; 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 Tommy Adkisson, which motion was voted on as follows: Commissioners Elizondo, Larson, Adkisson, and Judge Wolff voting "Aye".



**Item – 36**

**July 10, 2007**

**Purchasing Department**

The Court hereby ordered and approved a motion awarding a contract to the lowest and best bid to Comfort-Air Engineering, Incorporated for the purchase of an air handler for the Juvenile Detention Center, as requested by the Bexar County Infrastructure Services Department, Facilities Maintenance Division in the amount of \$79,817; and authorizing the Purchasing Agent to execute and file appropriate award documents for record, including appropriate budgetary transfer. (Record-contract to be filed later)

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



**Item – 37**

**July 10, 2007**

**Purchasing Department**

The Court hereby ordered and approved a motion ratifying action by the Planning and Resource Management Department and providing for payment in the amount of \$1,589.40 to McGriff, Seibels & Williams of Texas, Inc. for the purchase of Actuarial Attestation Services for Medicare Part D; 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 Tommy Adkisson, which motion was voted on as follows: Commissioners Elizondo, Larson, Adkisson, and Judge Wolff voting "Aye".



**Item – 38**

**July 10, 2007**

**Community and Development Programs**

The Court hereby ordered and approved a motion approving and executing the Public Service Management Agreement Amendment between Bexar County and the Friends of CHRISTUS Santa Rosa Foundation to change the service area for their project from Precinct 1 to women residing in Bexar County within the Community Development Block Grant (CDBG) Program's Bexar County jurisdiction area, for payment of mammogram services for a one-year period beginning October 1, 2006 and ending September 30, 2007, in the amount of \$17,200 from CDBG Program funds. (Record)

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



**Item – 39**

**July 10, 2007**

**Community and Development Programs**

The Court hereby ordered and approved a motion executing Change Order Number 2 in the amount of \$26,729.75 for additional construction services to the contract with San Antonio Contractors, LTD for the construction of the Macdona Drainage project using Program Year 1996, 2003, and 2005 Community Development Block Grant (CDBG) funds in the amount of \$495,577.21. (Record)

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



**Item – 40**

**July 10, 2007**

**Community and Development Programs**

The Court hereby ordered and approved a motion approving Change Order Number 1 for the Casa Helotes Senior Citizen Center Renovation Project-Phase III in the amount of \$3,177.00 which includes \$2,872.00 for the painting of the old dining room and \$305.00 for the installation of 4" rubber base in the new dining room using Program Year 2006 Community Development Block Grant funds. (Record)

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



**Item – 42-50**

**July 10, 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 Alamo Ranch Unit 36, owner: Pulte Homes of Texas L.P., located at Massie Ranch and La Villita Way, not within the Edwards Aquifer Recharge Zone. Precinct Number 1

Subdivision plat of Alamo Ranch Unit 38 Planned Unit Development, owner: Pulte Homes of Texas L.P., located southwest of Culebra Road and Loop 1604, not within the Edwards Aquifer Recharge Zone. Precinct Number 1

Subdivision plat of Alamo Ranch Unit 39A Planned Unit Development, owner: Pulte Homes of Texas L.P., located at Warm Winds and Devils River, not within the Edwards Aquifer Recharge Zone. Precinct Number 1

Subdivision plat of KB Culebra Unit 2 Planned Unit Development, owner: KB Homes, located southeast of Culebra Road and Galm Road, not within the Edwards Aquifer Recharge Zone. Precinct Number 1

Subdivision plat of Wildhorse Vista Unit 2, owner: Wildhorse Vista Partners Ltd., located at Canter Horse and Canter Spur, not within the Edwards Aquifer Recharge Zone. Precinct Number 2

Ratifying subdivision plat of Anaqua Springs Ranch IV Planned Unit Development, owner: Anaqua Springs Ranch, Inc., located on Cimarron Crest and Caliza Terrace, not within the Edwards Aquifer Recharge Zone. Precinct Number 3

Subdivision plat of Terra Mont Planned Unit Development, owner: Southern Land Communities RR Ranch Ltd, located at Babcock Road and Vista Verde, not within the Edwards Aquifer Recharge Zone. Precinct Number 3

Subdivision plat of Horizon Pointe Unit 3, owner: Continental Homes of Texas L.P., located at Sierra Sunset and Woodlake Parkway, not within the Edwards Aquifer Recharge Zone. Precinct Number 4

Subdivision plat of Raintree Gardens, owner: Tesoro Homes, Ltd, located northeast of Misty Ridge and Kitty Hawk, not within the Edwards Aquifer Recharge Zone. Precinct Number 4

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



**Item – 51**  
**July 10, 2007**  
**Infrastructure Services**

The Court hereby ordered and approved a motion accepting the following drains in the identified subdivision for County maintenance to begin July 10, 2007: (Record)

**Subdivision**

**Street/Drain**

Silver Oaks Unit 3  
(Precinct Number 2)

Drain B (153.04 lf)  
Drain D (801.74 lf)

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



**Item – 52**

**July 10, 2007**

**Infrastructure Services**

The Court hereby ordered and approved a motion establishing the following traffic control devices: (Record)

Stop zones to be established:

Precinct Number 1

- Perla Joy at intersection with Jasmine Way (Stop at Perla Joy)
- Briallen at intersection with Perla Joy (Stop at Briallen)
- Briallen at intersection with Dylan Fern (Stop at Briallen)

Precinct Number 3

- Saddlefoot Way at intersection with Silverado Way (Stop at Saddlefoot Way)
- Silverado Way at intersection with Canyon Golf Road (Stop at Silverado Way)
- Rustic Cabin at intersection with Rodeo Ranch (Stop at Rustic Cabin)
- Rustic Star at intersection with Rodeo Ranch (Stop at Rustic Star)
- Rodeo Ranch at intersection with Rustic Horse (Stop at Rodeo Ranch)

Precinct Number 4

- Candleside Drive at intersection with Candlemeadow (Stop at Candleside)
- Candlesearch Circle at intersection with Candleside Drive (Stop at Candlesearch Circle)
- Candlecane Circle at intersection with Candleside Drive (Stop at Candlecane Circle)
- Candleledim Circle at intersection with Candleside Drive (Stop at Candleledim Circle)

Speed zones to be established:

Precinct Number 3

Silverado Way from Canyon Golf Road to Rustic Horse shall be 30 mph

Precinct Number 4

Candleside Drive from Candlemeadow to end of road shall be 30 mph

All trucks over 1 ton prohibited (except for local deliveries):

Precinct Number 1

Empresario from Potranco Road to Saxonhill  
Winters Edge from Potranco Road to Bronze Sand

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



**Item – 53**  
**July 10, 2007**  
**Infrastructure Services**

The Court hereby ordered and approved a motion rescinding Declaration of Public Necessity for acquisition of Fee Simple Title in and to Parcel 39, Shaenfield Road approved by Commissioners Court on February 27, 2007. Precinct Number 2 (Record)

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



**Item – 54**  
**July 10, 2007**  
**Infrastructure Services**

The Court hereby ordered and approved a motion declaring a Public Necessity for the acquisition of Fee Simple Title in and to Parcel 39, Shaenfield Road Reconstruction Project, consisting of 0.2088 of an acre or 9,094 square feet of land, more or less, save and except any oil, gas or minerals and any subsurface water rights in and to the parcels 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 the improvement of Shaenfield Road, for highway right-of-way purposes, said parcel being situated in the Candelario Villanueva, Survey Number 85, Abstract 774, County Block 4449, Bexar County, Texas, being a portion of a 362.40 acre tract conveyed to FCS Wood, Ltd., recorded in Volume 7642, Pages 775-781 of the Real Property Records of Bexar County, Texas; and authorizing institution of condemnation proceedings to acquire such land rights. Precinct Number 2 (Record)

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



**Item – 55**  
**July 10, 2007**  
**Infrastructure Services**

The Court hereby ordered and approved a motion approving payment of Award of Special Commissioners in Probate Court Number 2 in the amount of \$6,275 to Veronica Munoz (formerly known as Veronica Munoz Elizondo) as next friend for Veronica Maricela Munoz and Ronnie Munoz, Minors for Shaenfield Road right-of-

way Parcel 9, being 0.0395 of an acre. Precinct Number 2 (Record)

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



**Item – 56**

**July 10, 2007**

**Infrastructure Services**

The Court hereby ordered and approved a motion approving the First Amendment to Agreement for Professional Services between Bexar County and Zachry Construction Corporation for construction management services in connection with the Mission Road Campus Juvenile Office bond projects in the amount of \$1,283,035. (Record)

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



**Item – 57**

**July 10, 2007**

**Infrastructure Services**

The Court hereby ordered and approved a motion approving Change Order 2 to the contract agreement between Bexar County and PKD Total Systems Inc., for elevator work at the Bexar County Courthouse and Laredo Street Jail, in an amount not to exceed \$24,263.71. (Record)

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



**Item – 58**

**July 10, 2007**

**Infrastructure Services**

The Court hereby ordered and approved a motion approving Contract Amendment Number 2 to the contract between DRG Architects, PLLC and Bexar County in the amount of \$51,000 to secure professional services for temporary housing at the Adult Detention Center Annex. (Record)

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



**Item – 59**

**July 10, 2007**

**Infrastructure Services**

The Court hereby ordered and approved a motion authorizing execution of the Interlocal Agreement between Bexar County and Bexar Metropolitan Water District for Bexar County's Raven Field Road Project in the amount of \$725,000. Precinct Number 1 (Record)

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



**Item – 60**  
**July 10, 2007**  
**Infrastructure Services**

The Court hereby ordered and approved a motion authorizing execution of the Interlocal Agreement between Bexar County and Bexar Metropolitan Water District for Bexar County's Kriewald Road Project in the amount of \$1,500,000. Precinct Number 1 (Record)

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



**Item – 61**  
**July 10, 2007**  
**Infrastructure Services**

The Court hereby ordered and approved a motion approving an Engineering Services Agreement between Bexar County and Claunch & Miller, Inc. for professional civil engineering design services in an amount not to exceed \$68,262 related to the Loma View Low Water Crossing at Menger Creek Project, BC 2007-291. Precinct Number 3 (Record)

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



**Item – 62**  
**July 10, 2007**  
**Infrastructure Services**

The Court hereby ordered and approved a motion approving an Engineering Services Agreement between Bexar County and Claunch & Miller, Inc. for professional civil engineering design services in an amount not to exceed \$75,731 related to the Evans Road Low Water Crossing east of Loma View Project, BC 2007-292. Precinct Number 3 (Record)

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



**Item – 63**  
**July 10, 2007**  
**Infrastructure Services**

The Court hereby ordered and approved a motion approving execution an Ancillary Agreement between Bexar County and Continental Homes of Texas, L.P. for Bexar County's Foster Road Project in the amount of \$94,549.66. Precinct Number 4 (Record)

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



**Item – 64**  
**July 10, 2007**  
**Infrastructure Services**

The Court hereby ordered and approved a motion approving an Interlocal Agreement between Bexar County and the City of San Antonio to establish the rights and obligations between the two governmental agencies with regard to the Mid-Beitel Creek Channel Restoration Project. Precinct Number 4 (Record-agreement to be filed later)

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



**Item – 65**  
**July 10, 2007**  
**Planning and Resource Management**

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

<u>Office/Department</u>	<u>BT#</u>	<u>Amount</u>	<u>From</u>	<u>To</u>
Infrastructure Services	BT07-69	\$139,000	District Clerk's Records Management Fund--	District Clerk's Records Management Fund--

			Imaging Services	Computer and Communication Equipment
Infrastructure Services	BT07-70	\$11,000	County Buildings Capital Improvement Fund-- Contingencies	County Buildings Capital Improvement Fund-- Building Equipment

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



**Item – 66**  
**July 10, 2007**  
**Planning and Resource Management**

The Court hereby ordered and approved a motion approving a proposed revision to the County’s Investment Policy that changes the composition of the Investment Committee by replacing Commissioner, Precinct 3, Lyle Larson with Commissioner, Precinct 4, Tommy Adkisson, and the Order adopting the revised policy. (Record)

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



**Item – 67**  
**July 10, 2007**  
**Planning and Resource Management**

The Court hereby ordered and approved a motion approving a Resolution by Commissioners Court of Bexar County, Texas approving and authorizing the publication of Notice of Intention to Issue Certificates of Obligation; complying with the requirements contained in Securities and Exchanges Commission Rule 15c2-12; and resolving other matters in connection therewith. (Record)

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



**Item – 6**  
**July 10, 2007**

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

Interlocal Agreement between City of San Antonio and Bexar County for maintenance and improvement of certain streets located in Bexar County, (approved May 22, 2007).

Lease Agreement with Toudouze, Inc., 800 Buena Vista, San Antonio, Texas 78207 and Bexar County, (approved May 22, 2007).



**Item – 7**  
**July 10, 2007**

The Court hereby ordered and approved a motion approving Commissioners Court minutes for Thursday, June 21, 2007 as printed. (Record)

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



**Item – 8**  
**July 10, 2007**

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

Farris Hodge, Jr.



County Commissioner Tommy Adkisson left the meeting.



**Item – 12**  
**July 10, 2007**  
**Sheriff's Office**

The Court hereby ordered and approved a motion ratifying the submission of the grant application to the U.S. Department of Justice, Office of Community Oriented Policing Services in the amount of \$392,060 to develop innovative approaches to recruiting, hiring and retention of new officers, and approve the acceptance of grant funds, if awarded. The term of the grant is 18 months, with no required County cash-match. (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 Elizondo, Larson, and Judge Wolff voting “Aye”.



County Commissioner Tommy Adkisson returned to the meeting.



**Item – 41**  
**July 10, 2007**  
**Criminal Justice Planning and Coordination**

The Court hereby ordered and approved a motion authorizing execution of Interlocal Agreements with the counties listed below for participation in the Fourth Court of Appeals Regional Pilot Project pursuant to the executed agreement between Bexar County and the Texas Taskforce on Indigent Defense to accept the \$200,000 in Technical Assistance Funding for the Fourth Court of Appeals Regional Pilot Project: (Record)

Atascosa County  
Bandera County

Kendall County  
Medina County

Sutton County  
Uvalde County

Dimmit County  
Duval County

Real County  
Starr County

Jim Wells County

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

♠♠

**Item – 68**

**July 10, 2007**

**Commissioners Court**

Discussion was held regarding a status report on the 80<sup>th</sup> Session of the Texas Legislature End-of-Session Report. (Record)

No action was taken.

♠♠

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

♠♠

Commissioners Court reconvened at this time. 1:50 p.m.

♠♠

**Item – 4a**

**July 10, 2007**

**Community & Development Programs**

Commissioners Court recessed at 1:50 p.m. and the Public Hearing accepting public comment regarding the Petition for Creation of a Public Improvement District to be named Westside 211 Special Improvement District, pursuant to the provisions of Chapter 372, Local Government Code was called to Order.

There being no Citizens to be heard the Public Hearing closed at 1:50 p.m. and Commissioner Court reconvened.

♠♠

County Commissioner Lyle Larson joined the meeting at this time.

♠♠

**Item – 4b**

**July 10, 2007**

**Commissioners Court**

Discussion and presentation by Leon Evans President/CEO of The Center for Health Care Services on the services to be provided at the Haven for Hope campus. (Record)

No action was taken.

♠♠

**Item – 4c**

**July 10, 2007**

**Economic Development**

Discussion and presentation by Charlie Boone on Port San Antonio, the former Kelly Air Force Base. (Record)

No action was taken.



**Item – 72**

**July 10, 2007**

**Economic Development**

The Court hereby ordered and approved a motion authorizing County Judge Nelson W. Wolff to sign the Walzem Road Redevelopment Project Master Economic Incentives Agreement with the City of Windcrest, City of San Antonio, Windcrest Economic Development Corporation, Windcrest Economic Development Company, LLC and directing staff to negotiate with Rackspace, Ltd., a 10-year Tax Phase-In Agreement and a 10-year Economic Development Grant Agreement with Rackspace, Ltd pursuant to Chapter 381 of the Texas Government Code. (Record-agreement to be filed later)

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



**Item – 69 a-c**

**July 10, 2007**

**Sheriff's Office**

Discussion was held regarding status report on jail population monitoring, including the processing of paper ready inmates and mentally ill inmates and Jail population mitigation strategies. (Record)

**County Judge Nelson W. Wolff left the meeting.  
County Commissioner Paul Elizondo is presiding officer.**

The Court hereby ordered and approved a motion approving and authorizing the following orders to include: (Record)

Order approving a request for overtime compensation for not more than four Deputy Sheriff-Law Enforcement Officers assigned to Court Security, at a maximum amount of \$10,000 for salary and benefits, to transport inmates to and from the Justice Center to the Frank Wing building for scheduled Saturday Jail Court beginning July 14, 2007 through the remainder of the fiscal year.

Order authorizing overtime compensation to all county employee’s participating in the Pilot Program for up to six-week period, subject to Budget Office recommendation.

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



**Item – 70**

**July 10, 2007**

**Criminal Justice Planning and Coordination**

Discussion was held regarding tents as a means of relieving jail overcrowding and for use in other areas of criminal justice. (Record)

No action was taken.



**Item – 71**

**July 10, 2007**

**Purchasing Department**

The Court hereby ordered and approved a motion directing staff to negotiate a contract with Davila Construction for the purchase and installation of two temporary housing units for inmates, labor and materials for site preparation, and the renovation of existing jail rooms to accommodate a 64 prisoner capacity from Davila Construction, as requested by the Bexar County Sheriff’s Office; authorizing the Purchasing Agent to execute and file appropriate award documents for record if legally authorized; and providing for the appropriate budgetary transfer. (Record-contract to be filed later)

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



**Item – 73**

**July 10, 2007**

**Economic Development**

There was nothing to report on the AT&T Center / Arena Venue project.



**Item – 74**

**July 10, 2007**

**Infrastructure Services**

The Court hereby ordered and approved a motion approving the waiver to Personnel Rules to hire Ricardo Saucedo, P.E. for the position of Environmental Engineer, Exempt Pay Table, Range 11 (\$60,216 - \$93,336) at an annual salary of \$84,000, effective July 11, 2007. (Record)

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



**Item – 75**

**July 10, 2007**

**Planning and Resource Management**

The Court hereby ordered and approved a motion approving the changes to Bexar County Policy 7.2.02 “FLSA,

Compensatory and Discretionary Time,” effective July 10, 2007 and authorize an immediate buy down, up to 200 hours, of exempt employees’ combined FLSA and compensatory time balances. (Record)

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



**Item – 76**

**July 10, 2007**

**Planning and Resource Management**

Discussion was held regarding a status report on preparation of the FY 2007-08 Proposed Budget. (Record)

No action was taken.



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:

- 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. Tax Phase-in Agreement with BDS Properties, Inc.
  - ii. Proposals received in response to an RFP (Request for Proposals) for Administrative Services of the Employee Medical Benefit Plans.
  - iii. An Interlocal Agreement with the City of San Antonio regarding Municipal Court arrestees.

5:50 P.M.



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

6:20 P.M.



A motion for adjournment was presented by County Commissioner Tommy Adkisson, duly seconded by County Commissioner Lyle Larson, which motion was voted on as follows: Commissioners Elizondo, Larson, and Adkisson 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 Victoria A. Mery, Russell L. Lown, Maxell F. Gates, Joe "Joedy" Niemeier, and Augusta J. Shandera until July 11, 2007 at 9:00 a.m.*

6:20 P.M.

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NELSON W. WOLFF, COUNTY JUDGE  
BEXAR COUNTY, TEXAS

ATTEST:       GERARD RICKHOFF  
                  COUNTY CLERK  
                  BEXAR COUNTY, TEXAS

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