

Orders of Commissioners Court
Bexar County, Texas

TUESDAY, NOVEMBER 20, 2007

Court met at 11:05 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, November 20, 2007.

Present at roll call:

Sergio "Chico" Rodriguez, County Commissioner Precinct No. 1;
Paul Elizondo, County Commissioner Precinct No. 2; (Presiding officer)
Lyle Larson, County Commissioner Precinct No. 3;
Tommy Adkisson, County Commissioner Precinct No. 4;
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 Jacqueline Murphy);
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:

Dr. Juan Benavidez, Senior Compensation Analyst with Planning & Resource Management Department 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 Edward B. Northcutt expressing to them the sympathy of the court on the loss of their loved one. He was a member of St. Gerard's Catholic Church and a veteran of WWII having served in the U.S. Army Air Corps in the European Theater. He was drafted in February of 1942 and served as a Mechanic in the Motor pool. He was discharged in October of 1945 as a Sergeant. After his discharge, he worked as a Major Appliance Repairman until his retirement in 1976. He is survived by his son, Edward B. Northcutt, Jr. and two granddaughters.

A letter of condolence is to be sent to the family of Carol Lynne Ruppel expressing to them the sympathy of the court on the loss of their loved one. Ms. Ruppel had a positive outlook on life and a warm sense of humor that made it fun just to be around her. She was thoughtful and loving, sincere and honest. She is survived by her parents, William and Maria Ruppel; brother, William Ruppel, Jr. and family members.

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

*Edward B. Northcutt
Carol Lynne Ruppel*



Item – 3 a-e
November 20, 2007
Commissioners Court

The Court presented a 25-year service pin to Phillip G. Guerrero with the Sheriff's Office. (Record)

The Court presented an Hidalgo to Julian V. Martinez, District Attorney Investigations Coordinator for serving 35 years as a peace officer with the Criminal District Attorney's Office, as well as for his contributions to Bexar County and the community. (Record)

The Court presented an Hidalgo to Mrs. Helen Madla, wife of the late Senator Frank Madla, in observance of the one-year anniversary of the passing of Senator Frank Madla. Ms. Cecilia Castellano and Anthony Castellano received the Hidalgo for Mrs. Helen Madla. (Record)

The Court presented a Proclamation to the March of Dimes recognizing and proclaiming the month of November 2007 as "Prematurity Awareness Month." (Record)

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

The Court presented a Proclamation to Paul Harvey Davis for all of his great work in the community. (Record)



Item – 4a
November 20, 2007
Commissioners Court

Presentation by Dr. Alfonso Chiscano "Friends of the Canary Islands Association" for the announcement and distribution of their new book entitled, "The Canary Island Archipelago: Crossroads of Journeys and Cultures (A trip through History)" by Elisa Torres. Books presented to the court.



There being no objections agenda item 77 will be heard at this time.



Item – 77
November 20, 2007
Infrastructure Services

The Court hereby ordered and approved a motion authorizing the sale, execution of deed and waiver of Bexar County taxes only for a tax foreclosed property to the City of San Antonio for the property known as 531 North Center Street, NCB 583, Block 8, Lots 16 and 17, tax account number 00583-008-0160, as requested by the City of San Antonio. Precinct 4. Councilwoman Sheila McNeil, District 2 was present. (Record)

A motion was presented by County Commissioner Tommy Adkisson, 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 – 6
November 20, 2007
Commissioners Court

The Court hereby ordered and approved a motion approving the Consent Agenda (items 10-69) with the exception of items 14 & 40, which will be heard separately and deferring agenda item 69 at this time.

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
November 20, 2007
Commissioners Court

The Court hereby ordered and approved a motion approving the reappointments of the following nominations to the San Antonio Area HIV Health Services Planning Council for terms to begin upon appointment and expire as listed: (Record)

<u>Name</u>	<u>Membership Category</u>	<u>Term Ends</u>
John A. Barbo	Alternate for Christian Northrup	02/28/09
Santana Maldonado	Alternate for Richard Davison	02/28/09
Glenda M. Small	Affected Communities	02/28/09

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
November 20, 2007
Commissioners Court

The Court hereby ordered and approved a motion approving a request by Commissioner Tommy Adkisson, Precinct 4 to re-appoint Erin Marie Barry to the Bexar County Child Welfare Board to begin effectively upon re-appointment for the remainder of a (3) three-year term and expire 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 – 12
November 20, 2007
Commissioners Court

The Court hereby ordered and approved a motion approving a Resolution casting Bexar County’s 671 votes for Ms. Helen Dutmer for election to the Bexar Appraisal District Board of Directors a term to begin January 1, 2008 and expire 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 – 13
November 20, 2007
Commissioners Court

The Court hereby ordered and approved a motion approving a request from the Bexar Appraisal District to reprogram approximately \$580,000 of 2007 Bexar Appraisal District's funds pursuant to the Texas Property Tax Code, Section 6.06(c). (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
November 20, 2007
District Attorney's Office

The Court hereby ordered and approved a motion authorizing the County Judge to accept funds awarded for the "Gang Related Intervention and Prosecution (GRIP)" grant project, an Anti-Gang Initiative under the Project Safe Neighborhoods Program of the Bureau of Justice Assistance administered by the U. S. Attorney's Office, in the amount of \$167,500, for up to 24 months. (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
November 20, 2007
District Attorney's Office

The Court hereby ordered and approved a motion authorizing the County Judge to accept grant funding award for the "Project Safe Neighborhoods Program," under the Project Safe Neighborhoods Program of the Bureau of Justice Assistance awarded to the United States Attorney's Office of the Western District of Texas, and administered by the Texas Attorney General's Office, with no cash or in-kind match required, in the amount of \$110,000. (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 – 17

November 20, 2007
District Attorney's Office

The Court hereby ordered and approved a motion authorizing execution of two Title IV-E purchase vouchers to be submitted to the Texas Department of Protective and Regulatory Services for reimbursement in the total amount of \$83,361.98, for legal services rendered by the Criminal District Attorney's Office from June 2007 through August 2007 (\$62,658.43) and September 2007 (\$20,703.55), to coincide with changes to state mandated program reporting deadlines. (Record-vouchers 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 – 18
November 20, 2007
District Attorney's Office

The Court hereby ordered and approved a motion approving a request from the Criminal District Attorney's Office and the Family Justice Center to receive with appreciation, a grant modification from the Bexar County Family Justice Center Foundation in the amount of \$60,000, and to accept said funds designated for salary and fringe benefits for the Bexar County Family Justice Center Finance Manager position, for the period of January 1, 2008 to September 30, 2008, with no County cash match required. (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
November 20, 2007
Sheriff's Office

The Court hereby ordered and approved a motion approving authorization to accept funds for the continuation of the Project Safe Neighborhoods Program and ratifying grant submission for Project Safe Neighborhood Anti-Gang Initiative Program entitled, "Street Crimes Initiative" funded by the U.S. Attorney Office of the Western District of Texas, administered by the Office of the Attorney General of Texas, in the amount of \$165,000, with no cash-match required. (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 – 20
November 20, 2007

Constable, Precinct 4

The Court hereby ordered and approved a motion approving a request from Constable, Precinct 4 to rehire Mary White a Bexar County retiree, as an Assistant Court Clerk (NE-01) on a temporary basis at an hourly rate of \$10.00 effective November 20, 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
November 20, 2007
Civil District Courts

The Court hereby ordered and approved a motion approving amendment to a Professional Services Contract between Bexar County and the Family Services Association of San Antonio, Inc., previously approved by Commissioners Court on October 9, 2007, clarifying how Family Services Association of San Antonio, Inc., will invoice Bexar County for payment of services under the contract. (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
November 20, 2007
County Auditor

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

- \$ 6,937,040.80 (Checks printed November 07, 2007)
- \$ 659,197.94 (Checks printed November 09, 2007)
- \$ 2,316,502.18 (Checks printed November 14, 2007)
- \$13,855,233.92 (Checks printed November 16, 2007)

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
November 20, 2007
County Auditor

The Court hereby ordered and approved a motion authorizing the County Auditor to pay bills through November 30, 2007. The list of bills paid will be presented to the Court on Tuesday, December 4, 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 – 24
November 20, 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, November 30, 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 – 25
November 20, 2007
County Auditor

The Court hereby ordered and approved a motion accepting the FLSA Summary Report regarding non-exempt County personnel that have accrued FLSA hours in excess of 200 but less than 240, and law-enforcement personnel with FLSA hours in excess of 440 but less than 480. (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 – 26
November 20, 2007
County Auditor

The Court hereby ordered and approved a motion approving authorization to establish a change fund for the Office of Justice of the Peace, Precinct 4 in the amount of \$60. (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
November 20, 2007
County Auditor

The Court hereby ordered and approved a motion approving authorization of fee changes as passed by the 80th Texas Legislature in its Regular Session and to provide the Court with fee changes, which are subject to being established by the Commissioners Court. (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
November 20, 2007
County Auditor

The Court hereby ordered and approved a motion authorizing the County Auditor to transfer funds to the Election Payroll Account for the Amendment, Joint, General, Special and Tax election held on November 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 – 29
November 20, 2007
Purchasing Department

The Court hereby ordered and approved a motion awarding a delivery order to Dailey-Wells Communications to provide maintenance of radios, chargers, and control stations on a requirements contract basis for the period beginning upon award and terminating September 30, 2008 for an estimated amount of \$137,000 as requested by the Bexar County Information 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 – 30
November 20, 2007
Purchasing Department

The Court hereby ordered and approved a motion awarding a delivery order to Globalscope Communications for the purchase of telephone equipment upgrade to Juvenile Detention Center and Krier Correctional Center as requested by the Bexar County Information Services Department in the total amount of \$59,659; 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

November 20, 2007
Purchasing Department

The Court hereby ordered and approved a motion awarding a contract to the lowest and best bid from Pronto Sandblasting & Coating & Oil Field Service Co., Inc., for the purchase of construction services for the Raven Field Drive Project as requested by the Bexar County Infrastructure Services Department in the contract amount of \$2,448,423.50. The County will only be responsible for payment of \$1,921,524.50; 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
November 20, 2007
Purchasing Department

The Court hereby ordered and approved motion awarding a contract to the lowest and best bid submitted by M & M Weatherization Company on Subparts A, B, C, D, E, G, H, I, and J to repair, replace or retrofit heating and cooling appliances in low-income households under the Comprehensive Energy Assistance Program (CEAP) on a requirements contract basis for a one-year period for an estimated annual amount of \$292,000.00 as requested by the Department of Community Investment; 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 – 33
November 20, 2007
Purchasing Department

The Court hereby ordered and approved a motion awarding a contract to the lowest and best bid submitted by Air Jireh Service to provide assessment of heating and cooling appliances and weatherization services in low-income households under the Comprehensive Energy Assistance Program (CEAP) on a requirements contract basis for a one-year period for an estimated annual amount of \$63,700.00 as requested by the Department of Community Investment; 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 – 34
November 20, 2007
Purchasing Department

The Court hereby ordered and approved a motion awarding a contract to Wodkins & Reed Counseling Services, LLC, Professional Associates for Counseling and Evaluation (PACE), Lone Star Offender Treatment Programs,

PLLC, and James B. Keedy dba South Texas Offender Programs dba STOP Programs, to provide the Bexar County Community Supervision and Corrections Department with counseling and treatment services contingent upon successful negotiations. (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 – 35
November 20, 2007
Purchasing Department

The Court hereby ordered and approved a motion awarding the renewal of a requirements contract with Full Service Auto Parts; O’ Reilly Auto Parts; Poquito Mas Enterprises; Vehicle Maintenance Program and JEKA, Inc. dba Mr. Transmission, to provide for the purchase of automotive parts and services for a one-year period under the same pricing, terms and conditions at the request of the Bexar County Infrastructure Services Department for an estimated annual amount of \$173,000; and authorizing the Purchasing Agent to execute contract modifications 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 – 36
November 20, 2007
Purchasing Department

The Court hereby ordered and approved a motion authorizing modification to the Janitorial and Personal Care Supplies Agreement with DC Distributing and providing for a price re-determination on items 5, 9, and 10 under the terms and conditions of the Agreement; and authorization the Purchasing Agent to execute a 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 – 37
November 20, 2007
Purchasing Department

The Court hereby ordered and approved a motion approving execution of a contract modification with McLane Advanced Technologies providing for consulting, programming, and other technical services in the amount of \$98,437.50 in support of the Phase III Laboratory Information Management System (LIMS) Enhancement Project as

requested by the Bexar County LIMS Enhancement Evaluation Committee through the Bexar County Criminal Justice Planning & Coordination Department; and authorizing the Purchasing Agent to execute and file appropriate award documents to include a budgetary transfer. (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
November 20, 2007
Purchasing Department

The Court hereby ordered and approved a motion granting discretionary exemption to the competitive bidding requirements set forth in the Texas County Purchasing Act because of unforeseen damage to public property and awarding a purchase order to Texas Air Products for the purchase of air devices, louvers, blowers, kitchen hoods and other equipment required of the construction services scheduled for the Adult Detention Center Kitchen Ceiling Replacement Project in the amount of \$102,898.00 as requested by the Bexar County Infrastructure Services Department; and authorizing the purchasing Agent to execute appropriate award documents and file 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 – 39
November 20, 2007
Purchasing Department

The Court hereby ordered and approved a motion authorizing the Purchasing Agent to advertise an Invitation for Bid for the purchase of emergency supplies in support of the Emergency Operations Center as requested by the Bexar County Fire Marshal’s Department and Office of Emergency Management. (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
November 20, 2007
Department of Community Investment

The Court hereby ordered and approved a motion approving execution of the Intergovernmental Cooperative Agreement between Bexar County and the City of Leon Valley for ADA (American Disability Act) Curb and Sidewalk Improvements Project, utilizing Program Year (PY) 2007 Community Development Block Grant (CDBG)

funds in the total amount of \$53,114.00. (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 – 42

November 20, 2007

Department of Community Investment

The Court hereby ordered and approved a motion approving execution of the Intergovernmental Cooperative Agreement between Bexar County and the City of Converse for the Placid Park Infrastructure Improvement Project, utilizing Program Year (PY) 2007 Community Development Block Grant (CDBG) funds in the total amount of \$90,000.00. (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 – 43

November 20, 2007

Department of Community Investment

The Court hereby ordered and approved a motion approving execution of the Project Management Agreement between Bexar County and Atascosa Rural Water Supply Corporation for the Fire Protection Upgrade Project utilizing Program Year (PY) 2007 Community Development Block Grant (CDBG) funds in the amount of \$119,830.00. (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 – 44

November 20, 2007

Department of Community Investment

The Court hereby ordered and approved a motion approving execution of the Project Management Agreement between Bexar County and the El Carmen Society for Community Advancement for the Sports Park Upgrade Project utilizing Program Year (PY) 2007 Community Development Block Grant (CDBG) funds in the amount of \$72,000.00. (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 – 45

November 20, 2007

Department of Community Investment

The Court hereby ordered and approved a motion approving execution of the Project Management Agreement

between Bexar County and the City of Elmendorf for the Infrastructure Master Plan Project utilizing Program Year (PY) 2007 Community Development Block Grant (CDBG) funds in the amount of \$100,000.00. (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 – 46

November 20, 2007

Department of Community Investment

The Court hereby ordered and approved a motion approving execution of the Public Service Management Agreement between Bexar County and Project MEND, Inc. for the Handicapped Accessible Equipment Project utilizing Program Year (PY) 2007 Community Development Block Grant (CDBG) funds in the amount of \$21,180.00. (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 – 47

November 20, 2007

Department of Community Investment

The Court hereby ordered and approved a motion approving execution of the Public Service Management Agreement between Bexar County and the Friends of CHRISTUS Santa Rosa Foundation for the Mammogram Screening Project utilizing Program Year (PY) 2007 Community Development Block Grant (CDBG) funds in the amount of \$14,585.00 (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 – 48

November 20, 2007

Department of Community Investment

The Court hereby ordered and approved a motion approving execution of the Public Service Management Agreement between Bexar County and Kirby Senior Center for the Senior Nutritional Needs Project utilizing Program Year (PY) 2007 Community Development Block Grant (CDBG) funds in the amount of \$34,068.00. (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 – 49

November 20, 2007

Department of Community Investment

The Court hereby ordered and approved a motion approving execution of the Public Service Management Agreement between Bexar County and Family Services Association, Inc., for payment of home-based services and gerontology assessments through their “Citizen Support & Assessment Program” utilizing Program Year (PY) 2007 Community Development Block Grant (CDBG) funds in the amount of \$4,012.00. (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 – 50

November 20, 2007

Department of Community Investment

The Court hereby ordered and approved a motion approving execution of the Public Service Grant Management Agreement between Bexar County and JOVEN, Inc., for the Summer Recreational Project utilizing Program Year (PY) 2007 Community Development Block Grant (CDBG) funds in the amount of \$19,012.00. (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

November 20, 2007

Economic Development

The Court hereby ordered and approved a motion ratifying Court action on November 6, 2007, regarding a five-signature letter to Bexar County elected officials and department heads requesting holiday donations for deployed military members from Bexar County-based units. (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

November 20, 2007

Information Services

The Court hereby ordered and approved a motion authorizing the County Judge to sign agreements between Bexar County and The Alvarez Law Firm, P.C. and Deloma Ventures for the purpose of allowing access to the Bexar

County Public Information Network for records limited to information obtainable by the public under the provisions of Rule 12 of Judicial 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 – 53
November 20, 2007
Infrastructure Services

The Court hereby ordered and approved a motion approving an Agreement between Bexar County and Centro San Antonio Management Corporation, a Downtown Public Improvement District, to provide services for the Bexar County Courthouse and Justice Center located within the district for the amount of \$30,000.00. (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 – 54
November 20, 2007
Infrastructure Services

The Court hereby ordered and approved a motion approving the Advanced Funding Agreement made between Bexar County and the Texas Department of Transportation for the FM 2536 (Old Pearsall Road Bridge) project in the amount not to exceed \$700,000.00. Precinct 1. (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 – 55
November 20, 2007
Infrastructure Services

The Court hereby ordered and approved a motion approving the First Amendment to the Engineering Services Agreement between Bexar County and HNTB Corporation for professional civil engineering design services in an amount not to exceed \$989,387 for the design fee related to the Galm Road Project, BC 2005-470. Precinct 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 – 56-58
November 20, 2007
Infrastructure Services/Public Works Division

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 Felder Ranch Unit 1A Enclave, owner: ABG Development, Inc., located northwest of Highway 90 and State Highway 211, not within the Edwards Aquifer Recharge Zone. Precinct 1.

Subdivision plat of Marbach Road Extension Unit 1, owner: ABG Development, Inc., located southwest of Potranco Road and State Highway 211, not within the Edwards Aquifer Recharge Zone. Precinct 1.

Subdivision plat of Miller Ranch Unit 3, owner: Sivage Community Development, Inc., located northwest of IH 10 and North Foster Road, not within the Edwards Aquifer Zone. Precinct 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 – 59

November 20, 2007

Infrastructure Services

The Court hereby ordered and approved a motion approving Field Alteration Number 9 to the contract between Bexar County and Greco Construction, Inc. for an additional \$2,187.13 for the installation of additional grates in the mechanic's pit and for City Public Service charges in connection with the Northwest Service Center, BC 2005-429. Precinct 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 – 60

November 20, 2007

Infrastructure Services/Public Works Division

The Court hereby ordered and approved a motion approving a 0.164 acre Electric Line Right-of-Way Easement, Block 83, NCB 195, to City Public Service, for the relocation of a City Public Service tower from across the street at the northwest corner of the Jail Annex property to over and across a strip of property at the northeast corner of the Jail Annex property. Precinct 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 – 61

November 20, 2007

Infrastructure Services/Public Works Division

The Court hereby ordered and approved a motion authorizing the purchase of right-of way of Parcel 6, being 1.48

acres, Bulverde Road, Phase I from Smithson Valley Road to US 281 from Woodside Tuscan Oaks, LLC, a Texas Limited Liability Company, total consideration: \$1.00 (donation). Precinct 3. (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 – 62
November 20, 2007
Infrastructure Services

The Court hereby ordered and approved a motion authorizing the sale of right-of-way for Old Hunt Lane between Ingram Lane and the relocated Hunt Lane, being 0.955 of an acre of land, to adjacent property owner Hunt Road 2004, Ltd. for appraised value of \$8,300. Precinct 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 – 63
November 20, 2007
Infrastructure Services/Public Works Division

The Court hereby ordered and approved a motion establishing the following no parking zone: (Record)

No parking to be established: (except for authorized deliveries)

Precinct Number 2

The loading zone at 233 North Pecos located in front of the Vista Verde Building

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 – 64
November 20, 2007
Infrastructure Services

The Court hereby ordered and approved a motion closing and abandoning a 0.2641 of an acre portion of Old Bulverde Road as excess right-of-way, being the remainder portion of Parcel 12A; as shown on map B-1145-1 in the Bexar County Department of Infrastructure Services, Bexar County, Texas. Precinct 3. (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 – 65
November 20, 2007
Planning & Resource Management

The Court hereby ordered and approved a motion approving a one-year renewal of a contract with McGriff, Seibels & Williams of Texas, Inc., for management of the County’s comprehensive insurance consulting services for an annual amount not to exceed \$143,000, effective November 1, 2007. (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 – 66
November 20, 2007
Planning & Resource Management

The Court hereby ordered and approved a motion approving a contract extension with Deer Oaks Employee Assistance Program to provide employee assistance program services for a period beginning January 1, 2008 through December 31, 2008 for an amount not to exceed \$1.12 per employee per month. (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 – 67
November 20, 2007
Planning & Resource Management

The Court hereby ordered and approved a motion approving the reclassification of a vacant SMWBE Analyst position (E-5, \$36,912-\$60,072) to a SMWBE Contracts Specialist position (E-6, \$40,044-\$60,072), effective November 20, 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 – 68
November 20, 2007
Planning & Resource Management

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

- a. Order accepting the Investment Quarterly Report for the Fourth Quarter of FY 2006-07;
- b. Order approving the County’s Investment Policy adding the County Tax Assessor-Collector to the Investment Advisory Committee membership; and the order adopting the revised policy;

c. Order adding the following Broker/Dealers to the approved Bexar County Broker/Dealer list:

- | | |
|--------------------------------------|----------------------------|
| 1. Bank of America Securities | 7. Merrill Lynch |
| 2. Barclays Capital | 8. Goldman Sachs |
| 3. RBC Capital Markets/Dain Rauscher | 9. Credit Suisse |
| 4. Deutsche Bank Securities | 10. Citigroup |
| 5. Mizuho Securities | 11. Morgan Stanley |
| 6. Lehman Brothers | 12. UBS Financial Services |

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 – 7

November 20, 2007

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

- a. Tunnel Easement Agreement with SA Real Estate, LLLP, approved June 21, 2007;
- b. Consulting Agreement with David B. Brooks, approved August 14, 2007;
- c. Grant Contract between the Office of the Attorney General and Bexar County for the State Fiscal Years 2008 and 2009, OAG Contract Number 0801415, approved September 11, 2007;
- d. City-County Interlocal Agreement for Park Reservations, approved September 18, 2007;
- e. Professional Services Agreement with Clarence E. (Bud) Franks, Jr. (Consultant), approved October 23, 2007;
- f. Letter from Scientific Games SA, Inc. (formerly Oberthur Gaming Technologies Corp.) regarding closing offices located at 9999 Westover Hills Blvd, San Antonio, Texas 78251;
- g. Letter from Friedrich Air Conditioning Co., Ltd regarding Friedrich Plant Closure-Warn Notice



Item – 8

November 20, 2007

Commissioners Court

The Court hereby ordered and approved a motion approving Commissioners Court minutes for Tuesday, November 6, 2007 and Thursday, November 15, 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 Rodriguez, Elizondo, Larson, Adkisson, and Judge Wolff voting “Aye”.



Item – 40
November 20, 2007
Community Investment

The Court hereby ordered and approved a motion approving the amended order granting the petition for the creation of a Public Improvement District named Westside 211 Special Public Improvement District. (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 Rodriguez, Elizondo, Larson, Adkisson, and Judge Wolff voting “Aye”.

♠♠

Item – 70
November 20, 2007
Sheriff's Office

Discussion was held regarding a status report on jail population monitoring and mitigation strategies, including the processing of paper ready inmates and mentally ill inmates relating to the Bexar County Adult Detention Facility. (Record)

No action was taken.

♠♠

Commissioners Court recessed at this time. 12:05 p.m.

♠♠

Commissioners Court reconvened at this time. 1:55 p.m.
County Commissioner Paul Elizondo is presiding officer.

♠♠

Item – 14
November 20, 2007
Commissioners Court

The Court hereby ordered and approved a motion approving an Order concerning the use of the proceeds of Variable Rate Demand Health Care Revenue Bonds (Morningside Ministries Project) Series 2008A and Series 2008B, to be issued by the Kendall County Health Facilities Development Corporation to finance and refinance the costs of continuing care facilities and to pay certain costs of issuance, relating to continuing care facilities of Morningside Ministries and/or The Morningside Ministries Foundation, Inc. located within the boundaries of Bexar County, Texas. (Record-order 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 Elizondo, Larson, and Adkisson voting

“Aye”.

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



Item – 5a
November 20, 2007
Economic Development

Presentation and discussion was held regarding legislative changes pursuant to House Bill 621 enacted by the 80th Texas Legislature relating to “goods-in-transit” tax exemption, as provided under Section 11.253 of the Texas Tax Code and approval of an Order for Bexar County to retain the right to tax “goods-in-transit” effective January 1, 2008.

Public Hearing was called to order at 2:05 p.m. by County Judge Nelson W. Wolff.

There being no citizens to be heard Public Hearing closed at 2:05 p.m.

The Court hereby ordered and approved a motion approving recommendations from staff to opt out and not allow this tax exemption to take effect in Bexar County and approving an Order for Bexar County to retain the right to tax “goods-in-transit” effective January 1, 2008. (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 Elizondo, Larson, Adkisson and Judge Wolff voting “Aye”.



Item – 72
November 20, 2007
County Auditor

The Court hereby ordered and approved a motion approving the 2008 Calendar Year Basic benefits and provisions of the TCDRS-Bexar County Retirement System plan. (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 – 71
November 20, 2007
County Auditor

The Court hereby ordered and approved a motion accepting recommendations from the County Auditor to approve the 30% CPI adjustment for the 2008 calendar year Cost of Living Adjustment (COLA) for Bexar County retirees and using the rest of the money to buy down the remaining unfunded liability. (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 Elizondo, Larson, Adkisson, and Judge Wolff voting “Aye”.



County Commissioner Sergio “Chico” Rodriguez joined the meeting at this time.



Item – 73
November 20, 2007
County Auditor

The Court hereby ordered and approved a motion approving authorization for payroll deduction for the Deputy Constables Association of Bexar County employees desiring membership in the amount of \$50 per month. (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” and Commissioner Larson voting “Nay”.



Item – 74
November 20, 2007
Community Investment

The Court hereby ordered and approved a motion approving the creation of a Policy Advisory Committee for Tax Increment Finance and Public Improvement District programs, a three-month moratorium on new Tax Increment Finance/Tax Increment Reinvestment Zone and Public Improvement District applications to begin on November 20, 2007, and allocation of sufficient funding to hire a consultant to evaluate the housing market in Bexar County. (Record)

Policy Advisory Committee:
Aurora Sanchez, Department of Community Investment
David Smith, Planning and Resource Management
Joe Aceves, Infrastructure Services
Renee Green, Infrastructure Services
Manuel Leal, Planning and Resource Management
Jesse Flores, Department of Community Investment

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



Item – 75
November 20, 2007
Planning & Resource Management

The Court hereby ordered and approved a motion approving the creation of an Employee Clinic & Wellness Coordinator position in the Planning and Resource Management Department, (E-9, \$51,156-\$79,269), effective January 8, 2008. (Record)

A motion was presented by County Commissioner Tommy Adkisson, 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 – 76
November 20, 2007

Purchasing Department

The Court hereby ordered and approved a motion awarding a contract to the most responsive proposal from Journeyman Construction, Inc., for the purchase of construction services for the new Adult Probation Office Building as requested by the Bexar County Infrastructure Services Department in the contract amount of \$14,429,481, contingent upon contract negotiations and execution; 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 Rodriguez, Elizondo, Larson, Adkisson, and Judge Wolff voting "Aye".



Item – 78

November 20, 2007

Economic Development

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



Commissioners Court met 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. Avery Walker (Class Action on behalf of DSABC) vs. Bexar County; [Arbitration 2006-GC-Class 3]
- ii. DSABC Grievance Number 2006-GC-Class 03 (Jail Dormitories)
- iii. DSABC Grievance Number 2006-GC Class 2 (Roll Call Leave)
- iv. Number 2007-CI-01431; DSABC vs. Bexar County and DPS, et al

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. The Interlocal Agreement with the City of San Antonio regarding operations and maintenance of the City/County Emergency Operations Center

3:30 P.M.



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

3:45 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 Rodriguez, Elizondo, Larson, Adkisson

and Judge Wolff voting "Aye." It is ordered by the Court that Commissioners Court of Bexar County, Texas be, and hereby stands, adjourned, *In honor and memory of Edward B. Northcutt and Carol Lynne Ruppel* until Tuesday, December 4, 2007 at 11:00 a.m.

3:45 P.M.

NELSON W. WOLFF, COUNTY JUDGE
BEXAR COUNTY, TEXAS

ATTEST: GERARD RICKHOFF
 COUNTY CLERK
 BEXAR COUNTY, TEXAS
