

Orders of Commissioners Court
Bexar County, Texas

TUESDAY, DECEMBER 4, 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, December 4, 2007.

Present at roll call:

Nelson W. Wolff, County Judge;
Sergio "Chico" Rodriguez, County Commissioner Precinct No. 1;
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 (Rep. by John Reynolds);
Gerard Rickhoff, County Clerk (Rep. by Leonor Salazar);
Susan Reed, District Attorney (Rep. by Ed Schweningen);
Keith L. Charlton, Executive Director - Criminal Justice Planning & Coordination Department;
David Marquez, Executive Director of Economic Development (Rep. by Melissa Shannon);
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 (Rep. by Robert Hooper);
Aurora Sanchez, Executive Director – Community & Development Programs Department (Rep. by Delia Perez); and
Gary O'Bar, Purchasing Agent.

When the following proceedings were had to-wit:

Melissa Shannon, Manager, Economic Development Department gave the invocation at today's meeting. County Judge Nelson W. Wolff led the Pledge of Allegiance.



A letter of condolence is to be sent to the family of Ernest A. Raba expressing to them the sympathy of the Court on the loss of their loved one. Mr. Raba was a lifelong resident of San Antonio. He grew up on East Guenther Street in the King William area. He attended grammar school at St. Joseph Parochial School, and St. Mary's Academy High School, the predecessor of Central Catholic. He graduated summa cum laude from St. Mary's University in 1934 and he received his law degree from St. Mary's School of Law in 1937, graduating at the top of his class. After law school, he engaged in the private practice of law and reluctantly began teaching as an Adjunct Law Professor at St. Mary's. In 1942, he was inducted into the Army and was soon admitted into the first Judge Advocate General's School for enlisted men at the University of Michigan School of Law. Upon completion of this program, he served first in the JAGC 8th Service Command Headquarters, in Dallas and later as Staff Judge Advocate at Fort Polk, Louisiana. It was at Fort Polk that Dean Raba met and married Betty Vivian Myers in March 1945. In January of 1946, recently discharged First Lieutenant Raba was appointed Dean of the St. Mary's University School of Law. As dean, he oversaw the move of the School of Law from downtown to its current location on the campus of St. Mary's University, extensive development, and accreditation with two national accreditation bodies. While dean and law professor, he also served for several years as Vice President for Development of the University and was instrumental in extensive fund raising for the law school and the university in general. Despite many offers of other deanships, judgeships, and jobs in the private sector, he remained at St. Mary's. He retired as dean in 1978, as the longest tenured law school dean in the United States but continued to teach constitutional law and civil rights for several more years. Among his many awards, Dean Raba was the recipient of the Distinguished Alumni Award (1977);

Distinguished Law Graduate Award (1982); the St. Thomas More Award (1988); and the Lifetime Achievement Award (2005). He is survived by his children, Ernest Raba, Jr. M.D., Cindy Malone, Paul Raba,

and John Raba, J.D., eight grandchildren and six great-grandchildren, and numerous nieces, nephews and other relatives.

A letter of condolence is to be sent to the family of Lt. Col. Howard Payne Cooper expressing to them the sympathy of the Court on the loss of their loved one. Mr. Cooper was a 1947 graduate of State College High School, State College, PA, where he lettered in football and track. He graduated from Pennsylvania State University in 1951 with a BS Degree in Education. He entered the U.S. Air Force in 1951 and retired in 1971. He logged 5585 hours flying time in 14 different types of aircraft and flew 586 combat hours during the Vietnam War. He also served in Germany and Japan. He was a rated senior navigator and served as Chief Navigator and Standardization Board Instructor Navigator during his active flying career. He also served in the air traffic control field as a chief controller, flight facilities officer and Detachment and Squadron Commander. His military awards include the Bronze Star, Meritorious Service Medal, AF Commendation Medal (Achievement), the Air Medal, the Vietnamese Gallantry Cross with Palm and numerous service awards, including the Vietnam Service medal with four campaign stars. After retirement from the Air Force Cooper taught and coached at Holy Cross High School in San Antonio for 16 years. He loved being a part of the Holy Cross faculty and enjoyed working with students so very much, his teams won District Championships in Football and Baseball at Holy Cross. He earned a Master's Degree in Psychology and Guidance from Our Lady of the Lake University in 1975 and served as Director of Guidance and Testing during his last years at Holy Cross. He was inducted into the Holy Cross Hall of Fame in 1998. After leaving Holy Cross, Colonel Cooper worked at St. Phillip's College in the Advisement and Assessment Center where he served as Test Administrator. He later taught Social Psychology and Tests and measurements at Park College. He was a member of Freedoms Foundations at Valley Forge and Retired Military Officers Association. He is survived by his wife, Shirley, the love of his life.

A letter of condolence is to be sent to the family of Thomas Eugene Dupuis, Jr. expressing to them the sympathy of the Court on the loss of their loved one. Mr. Dupuis was born and raised in New Orleans, Louisiana. He received an Electrical Engineering degree from LSU and a masters degree from SMU. He served in the Army as a Second Lieutenant and worked for Texas Instruments for over 25 years as a Program Manager and was a resident of Dallas for 50 years. He was one of the original groundbreakers for SVAA Youth Sports. He is survived by his children, Dale Dupuis and Renee Green, 10 grandchildren and numerous nieces and nephews.

A letter of condolence is to be sent to the family of Rolan Raymond Botkin, M.D. expressing to them the sympathy of the Court on the loss of their loved one. He practiced medicine on the south side of San Antonio for over 30 years with his brother Dr. Ted Botkin after graduating from Indiana University Medical School. He spent many happy years cruising on his boat in the Bahamas before retiring to his ranch in Utopia, Texas. He is survived by his wife, Margie Botkin, son Eric and daughter Elaine, and 4 grandchildren.

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

*Ernest A. Raba
Lt. Col. Howard Payne Cooper
Thomas Eugene Dupuis, Jr.
Rolan Raymond Botkin*



Item – 3a
December 04, 2007
Commissioners Court

The Court presented a Proclamation to Alberto Kreimerman, founder of the Hermes Music Foundation, recognizing and proclaiming Sunday, December 23, 2007 as “Hermes Music Project of Love Day” in Bexar County, and urges our citizens to support this worthwhile effort by becoming involved in the toy distribution to be held at the Joe Freeman Coliseum. (Record)



Item – 4a
December 04, 2007
Commissioners Court

Commissioners Court recessed at 11:15 a.m. and the meeting of the Board of Directors, for the Bexar County Health Facilities Development Corporation was called to order by County Commissioner Lyle Larson.

Meeting adjourned at 11:20 a.m. and Commissioners Court reconvened.



Melissa Shannon, Economic Development introduced to the Court Hiroko Misawa, Manager, State of Texas Japan Office and Elizabeth Coira, Senior Protocol Specialist, City of San Antonio.



Item – 5
December 04, 2007
Commissioners Court

The Court hereby ordered and approved a motion approving the Consent Agenda (items 9-37) with the exception of agenda item 10, which will be heard separately.

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



Item – 9
December 04, 2007
Commissioners Court

The Court hereby ordered and approved a motion approving the reappointments of the nominations listed below to the San Antonio Area HIV Health Services Planning Council for terms to begin on October 16, 2007 and expire February 28, 2009. (Record)

<u>Name</u>	<u>Membership Category</u>
John P. Ortega	Affected Communities
Ana M. Price	Alternate for Lucia Bustamante

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



Item – 11

December 04, 2007
Sheriff's Office

The Court hereby ordered and approved a motion approving a request to submit a grant application and Resolution to Alamo Area Council of Governments for their administration of the Texas Commission on Environmental Quality for solid waste implementation programs, entitled "Illegal Dumping is Not Cool." The term of the grant contract is from March 1, 2008 through February 28, 2009; and accepting funds, if awarded, in the amount of \$25,797 and an in-kind match of \$2,604 for a total of \$28,401. (Record)

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



Item – 12
December 04, 2007
County Auditor

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

\$ 3,681,677.74 (Checks printed November 11, 2007)
\$ 1,437,795.86 (Checks printed November 28, 2007)
\$ 2,170,479.22 (Checks printed November 29, 2007)
\$11,886,515.04 (Checks printed November 30, 2007)

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



Item – 13
December 04, 2007
County Auditor

The Court hereby ordered and approved a motion approving the payment of payroll, including overtime, and auto allowances to be paid on Friday, December 14, 2007. (Record)

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



Item – 14
December 04, 2007
County Auditor

The Court hereby ordered and approved a motion authorizing the County Auditor to pay bills through Friday, December 14, 2007. The list of bills paid will be presented to the Court on Tuesday, December 18, 2007. (Record)

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



Item – 15
December 04, 2007
County Auditor

The Court hereby ordered and approved a motion approving payment of cellular telephone bills over \$75 for the period of October 2007 for ATT/Cingular and Sprint, and September 2007 for Nextel. (Record)

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



Item – 16
December 04, 2007
County Auditor

The Court hereby ordered and approved a motion approving the Tax Assessor-Collector’s Report of Taxes collected in October 2007, and the order transferring tax collections for the month of October 2007, from unallocated receipts. (Record)

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



Item – 17
December 04, 2007
County Auditor

The Court hereby ordered and approved a motion approving an Amendment to Bexar County’s Depository Agreement with Bank of America, N.A. to include ePayables and PayMode services. (Record-agreement to be filed later)

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



Item – 18
December 04, 2007
County Auditor & Constable, Precinct 2

The Court hereby ordered and approved a motion approving a request from Constable, Precinct 2 to rehire a Bexar County retiree, as a Deputy I (Non-Exempt 07, Salary \$2,764), effective November 5, 2007. (Record)

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



Item – 19
December 04, 2007

Juvenile Probation

The Court hereby ordered and approved a motion approving two Contracts for Services, Number 08-C0054 and Number 08-C0061, between the Office of the Attorney General of the State of Texas and Bexar County, as authorized by Section 231.002 of the Texas Family Code for the Juvenile Probation Department's provision of community supervision services, and intensive community supervision services via the Children First Jail Intervention Program; and authorizing the County Judge to execute these contracts and related documents subject to the approval of the District Attorney's Office. (Record-contracts to be filed later)

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



Item – 20

December 04, 2007

Purchasing Department

The Court hereby ordered and approved a motion awarding a contract to Maximus, Inc. for the purchase of consulting services in support of the automated financial system in the amount of \$254,590.00 as requested by the Bexar County Auditor's Office; and authorizing the Purchasing Agent to execute and file appropriate award documents for record. (Record)

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



Item – 21

December 04, 2007

Purchasing Department

The Court hereby ordered and approved a motion awarding a contract to the lowest and best bid from Progressive Security Technologies for the purchase of call tracking software as requested by the Bexar County Information Services Department in the amount of \$67,960.00; and authorizing the Purchasing Agent to execute and file appropriate award documents for record. (Record)

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



Item – 22

December 04, 2007

Purchasing Department

The Court hereby ordered and approved a motion awarding a delivery order to CEIA-USA, Ltd for the one-time purchase Security Metal Detectors as requested by the Bexar County Sheriff's Office in the amount of \$30,618.38; and authorizing the Purchasing Agent to execute and file appropriate award documents for record. (Record)

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



Item – 23
December 04, 2007
Purchasing Department

The Court hereby ordered and approved a motion awarding a delivery order to Smith Detection Incorporated for the one-time purchase of Security Equipment as requested by the Bexar County Sheriff' s Office in the amount of \$80,250; and authorizing the Purchasing Agent to execute and file appropriate award documents for record. (Record)

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



Item – 24
December 04, 2007
Purchasing Department

The Court hereby ordered and approved a motion awarding a delivery order to Southwest Solutions Group for the one-time purchase of two rotary Filing Systems as requested by the Bexar County Sheriff' s Office in the amount of \$36,504.88; and authorizing the Purchasing Agent to execute and file appropriate award documents for record. (Record)

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



Item – 25
December 04, 2007
Purchasing Department

The Court hereby ordered and approved a motion granting a discretionary exemption to the competitive bidding requirements set forth in the Texas County Purchasing Act for the purpose of awarding a contract to Techsun Solar on a sole source basis in the amount of \$203,026 contingent upon successful contract negotiation and execution for the purchase of installation services for a solar hot water system at the Bexar County Adult Detention Center as requested by Bexar County Infrastructure Services Department; and authorizing the Purchasing Agent to execute and file appropriate award documents for record. (Record)

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



Item – 26
December 04, 2007
Purchasing Department

The Court hereby ordered and approved a motion authorizing the Purchasing Agent to submit payment for continued membership with the South Central Texas Regional Certification Agency in the annual amount of \$43,750; and authorizing the Purchasing Agent to execute and file appropriate award documents for record. (Record)

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



Item – 27
December 04, 2007
Purchasing Department

The Court hereby ordered and approved a motion authorizing the Purchasing Agent to update the Bexar County Fixed Asset Inventory Records to reflect the acceptance of one vehicle (1998 Ford Expedition) and removal of one vehicle (1993 Chevrolet Blazer) in accordance with the request submitted by Constable Robert Blount, Bexar County Constable, Precinct 4. (Record)

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



Item – 28
December 04, 2007
Purchasing Department

The Court hereby ordered and approved a motion authorizing the Purchasing Agent to advertise a Request for Proposal to solicit competitive proposals for the purchase property and casualty insurance as requested by the Bexar County Auditor’s Office. (Record)

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



Item – 29
December 04, 2007
Purchasing Department

The Court hereby ordered and approved a motion authorizing the Purchasing Agent to advertise a Request for Proposal (RFP) to purchase internet-monitoring services as requested by the Bexar County Community Supervision and Corrections Department. (Record)

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



Item – 30
December 04, 2007

Department of Community Investment

The Court hereby ordered and approved a motion authorizing execution of a Lien Release in the amount of \$4,858.33 from HOME Investment Partnership funds provided to Juanita S. Gonzalez on behalf of Our Casas Resident Council, Inc. for a lot purchase for the construction of a single-family home. (Record-lien release filed in Deed Records with County Clerk)

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



Item – 31

December 04, 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 Kirby for the ADA Park Improvements Project, utilizing Program Year (PY) 2007 Community Development Block Grant (CDBG) funds in the amount of \$52,066.00. (Record)

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



Item – 32

December 04, 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 Universal City for the Parkview Estate Drainage Project, utilizing Program Year (PY) 2007 Community Development Block Grant (CDBG) funds in the total amount of \$100,000.00. (Record)

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



Item – 33

December 04, 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 San Antonio Food Bank for the Healthy Options Program for the Elderly utilizing Program Year (PY) 2007 Community Development Block Grant (CDBG) funds in the amount of \$10,112.00. (Record)

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



Item – 34
December 04, 2007
Infrastructure Services

The Court hereby ordered and approved a motion approving the Interlocal Agreement between Bexar County, Wise Oaks I, Ltd, SPH Culebra Ltd, and Northside Independent School District to provide design review and construction inspection services for the Cottonwood Way construction project at no cost to the County. Precinct 1. (Record)

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



Item – 35
December 04, 2007
Infrastructure Services

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

Subdivision plat of The Ridge at Lookout Canyon Phase II Planned Unit Development, owner: McMillin Texas Development, LLC, located east of Starling Hill and Tanger Court, within the Edwards Aquifer Recharge Zone. Precinct 3.

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



Item – 36
December 04, 2007
Infrastructure Services

The Court hereby ordered and approved a motion authorizing the purchase of right-of-way, Parcel Number 9, Borgfeld Drive, being 0.122 of an acre of land from James H. Cosgrove and wife, Wanda G. Cosgrove for a total consideration of \$25,330. Precinct 3. (Record)

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



Item – 37
December 04, 2007
Infrastructure Services

The Court hereby ordered and approved a motion accepting the following streets and drains in the identified

subdivisions for County maintenance to begin December 4, 2007: (Record)

<u>Subdivision</u>	<u>Street/Drain</u>
Alamo Ranch Unit 2 (Precinct Number 1)	Drain A (11 lf) Roft Road (144.54 lf) Rockwall Mill (1,535.57 lf) Palmetto Way (1,273.23 lf) Lantana Cove (403.38 lf) Ozona Mill (291.86 lf) Kenedy Leaf (693.11 lf)
Alamo Ranch Unit 1 (Precinct Number 1)	Rockwall Mill (1,247.03 lf) Palmetto Way (283.73 lf) Redbud Leaf (1,070.86 lf) Big Bend Cove (633.53 lf) Briscoe Leaf (402.43 lf) Kimble Mill (557.83 lf) Eden Mill (553.86 lf)
Alamo Ranch Unit 3 (Precinct Number 1)	Palmetto Way (355.50 lf) Corsica Mill (1,287.37 lf) Eden (302 lf) Panola Way (1,023 lf) Holbrook Way (284.24 lf)
KB Potranco Unit 7 (Precinct Number 1)	Sunset Lake (930.62 lf) Sundance Scape (914.02 lf) Sun Garden (684.82 lf) Misty View (350 lf) Pearl Field (377.67 lf)

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



Item – 6
December 04, 2007
Commissioners Court

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

- a. First Amendment to the Professional Services Agreement with Carter & Burgess, Inc., approved November 6, 2007;
- b. Interlocal Agreement for Mid-Beitel Creek Channel Restoration Project with the City of San Antonio, approved July 10, 2007;
- c. Metropolitan Planning Organization Memorandum of Understanding with San Antonio-Bexar County Urban Transportation Study Steering Committee, approved October 23, 2007;

- d. Bexar County Administrative Policy Number 4.5, Energy Conservation and Recycling Policy, approved October 23, 2007;
- e. Return of Citation by Personal Service in a Delinquent Tax Suite – Schertz, Cibolo, Universal City ISD et al vs. Lonnie A. Verstuyft, et al;
- f. Letter from Friedrich Air Conditioning Co. Ltd, regarding product rework will delay termination in department 4713, Rac Assembly Line Number 3;
- g. U.S. District Court – Summons in a Civil Action: Julia Ann Jackson, et al vs. the County of Bexar;
- h. Notice of a Law Suit to Bexar County: Cause Number 2007-CI-14961; Valero Services Inc. and Valero Energy Corp vs. Bexar County, Texas;
- i. Notice of Claim from Veronica Pruitt;
- j. FY 2007-08 Probate Courts Contribution Fund Budget for Bexar County Probate Courts.



Item – 7
December 04, 2007
Commissioners Court

The Court hereby ordered and approved a motion approving Commissioners Court minutes for Tuesday, November 20, 2007 as printed. (Record)

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



Item – 8
December 04, 2007
Commissioners Court

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

Jose Lopez



Item – 10
December 04, 2007
Probate Courts

The Court hereby ordered and approved a motion approving payment in the total amount of \$5,507.18 to Walthall Sachse & Pipes, Inc. for two public- official bonds in the amount of \$500,000 each for Probate Court Judges Polly Spencer and Tom E. Rickhoff as required by House Bill 2967 enacted by the 80th Texas Legislature and effective November 1, 2007. (Record)

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

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Item – 38
December 04, 2007
Infrastructure Services

The Court hereby ordered and approved a motion authorizing the San Antonio River Authority to proceed with construction of the San Antonio River Improvements Project Mission Reach Phase I and authorize an amount not to exceed \$16,527,735.00 to support Bexar County’s share for the San Antonio River Improvements Project Mission Reach Phase I, and approving an additional \$815,359 for the continuation of the Mission Project Phases 2, 3, and 4; and approving the revised Flood Control Multi-year Project Fund 309 budget. (Record)

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

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Item – 47
December 04, 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.

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

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Commissioners Court reconvened at this time. 1:45 p.m.
Commissioner Paul Elizondo joined the meeting at this time.

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Item – 39
December 04, 2007
Elections Department

The Court hereby ordered and approved a motion approving the following orders necessary for the conduct of early

voting for the Joint Primary to be held on Tuesday, March 4, 2008 and the Runoff, if necessary, on Tuesday, April 8, 2008 to include: (Record)

Order to Conduct Early Voting for the Primary and Runoff Election;
Order designating the main early voting location and branch locations as amended;
Order setting compensation for the deputy early voting clerks for early voting;
Order adopting a voting system to be used; and
Order adopting the voting times for Saturdays and Sundays.

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, and Adkisson voting "Aye".



Item – 40
December 04, 2007
Elections Department

The Court hereby ordered and approved a motion approving the payment to Election officials for the 2008 Primary and Runoff, if necessary; Bexar County will be responsible for paying the difference between the State's wage of \$7.00 per hour to Primary Judges and Clerks compared to the wage paid by Bexar County for all elections of \$9.25 for judges and \$8.25 for Alternates and Clerks. (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".



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



Item – 41
December 04, 2007
Fire Marshal

The Court hereby ordered and approved a motion approving an Order restricting outdoor burning in the unincorporated areas of Bexar County, effective December 4, 2007, for a period of 90 days, unless earlier terminated by Commissioners Court. (Record)

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



Item – 42
December 04, 2007
Fire Marshal

The Court hereby ordered and approved a motion approving an Order prohibiting the sale or use of restricted fireworks in the unincorporated areas of Bexar County, effective December 4, 2007. (Record)

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



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



Item – 43
December 04, 2007
Fire Marshal

The Court hereby ordered and approved a motion approving the budget transfer request from the Fire Code Fund, Appropriated Fund Balance to the Operations and Supplies Appropriation Units within the Fire Code Fund in the amount of \$205,355. (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, and Adkisson voting “Aye”.



Item – 44
December 04, 2007
Planning & Resource Management

The Court hereby ordered and approved a motion approving the FY 2007-08 Planning and Resource Management Department’ s Work Plan outlining the major projects to be pursued by the 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 Rodriguez, Elizondo, Larson, and Adkisson voting “Aye”.



Commissioner Tommy Adkisson left the meeting
County Judge Nelson W. Wolff returned to the meeting.



Item – 45
December 04, 2007
Economic Development

The Court hereby ordered and approved a motion directing staff to negotiate a Tax Phase-In Agreement with Tindall Corporation for the purpose of constructing a pre-cast concrete production facility in Bexar County. (Record)

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



Item – 46
December 04, 2007
Economic Development

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

Commissioner Tommy Adkisson returned to the meeting.



Item – 48
December 04, 2007
Sheriff's Office

The Court hereby ordered and approved a motion approving the Sheriff's request to increase the scheduled workweek for two civilian Pre-Employment Specialist positions from 20 hours per week to a schedule of 31 hours per week through February 29, 2008 at a maximum cost of \$6,483.65 in salaries and benefits. (Record)

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



Item – 49
December 04, 2007
Criminal Justice Planning and Coordination

The Court hereby ordered and approved a motion approving a request from the Crime Laboratory to approve the following orders: (Record)

Order authorizing the Executive Director of Criminal Justice Planning and Coordination and Human Resources to utilize the "Hiring and Promoting Above Minimum" form for Forensic Scientists in the Crime Laboratory Career ladder.

Order authorizing the Executive Director of Criminal Justice Planning and Coordination, with Human Resources approval, to hire for the Firearms positions at the maximum position pay range.

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".



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

551.071 –
Consultation with Attorney for advice regarding:

- a. Pending or contemplated litigation or settlement offers in the following matters:
 - i. Tracy Miller et. al. vs. Bexar County, et. al.
 - ii. Jose Gonzales vs. Bexar County et. al.
 - iii. Legal claims involving a Tax Phase-In Agreement with Oberthur Gaming Technologies Corporation

- 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:
 - ii. Contract for Vehicle Towing and Storage Services with Texas Towing
 - iii. The Interlocal Agreement with the City of San Antonio regarding Forensic Science Services

3:30 P.M.



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

3:55 P.M.



Item – 50
December 04, 2007
Criminal District Attorney

The Court hereby ordered and approved a motion approving recommendation from the District Attorney’s Office settlement proposal in the amount of \$15,000 in litigation styled: Tracy Miller et. al. vs. Bexar County, et. al.

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 – 51
December 04, 2007
Criminal District Attorney

The Court hereby ordered and approved a motion approving recommendations from the District Attorney’s Office settlement proposal in the amount of \$15,000 in litigation styled: Jose Gonzales vs. Bexar County, et. al.

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



Item – 52
December 04, 2007
Criminal District Attorney

Discussion was held regarding notice from Scientific Games SA, Inc. (formerly Oberthur Gaming Technologies Corp.) to permanently close its facility in violation of a pending Tax Phase-In Agreement with Oberthur Gaming Technologies Corp.

The Court hereby ordered and approved a motion approving the following orders effective on this 4th Day of

December 2007: (Record)

Order that all communications received from the parties involved indicate that material terms of the Tax Phase-In Agreement have been breached and/or that a material breach is imminent and certain to occur.

Order that the Commissioners Court hereby declare a material breach of the Tax Phase-In Agreement with Bexar County.

Order that the Criminal District Attorney is authorized to pursue any and all legal remedies for breach of the Agreement including the filing of any necessary litigation on behalf of Bexar County against all liable parties and to recapture all real and personal property taxes abated under the Agreement in the amount described therein.

Order that the Tax Assessor/Collector is authorized to take any immediate action necessary to aid in the collection of all abated real and personal property taxes owing for the years abated under the Agreement.

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".



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 Ernest A. Raba, Lt. Col. Howard Payne Cooper, Thomas Eugene Dupuis, Jr. and Rolan Raymond Botkin M.D.* until, Tuesday, December 18, 2007 at 11:00 a.m.

4:00 P.M.

NELSON W. WOLFF, COUNTY JUDGE
BEXAR COUNTY, TEXAS

ATTEST: GERARD RICKHOFF
COUNTY CLERK
BEXAR COUNTY, TEXAS
