

Orders of Commissioners Court
Bexar County, Texas

TUESDAY, DECEMBER 9, 2008

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 9, 2008.

Present at roll call:

Nelson W. Wolff, County Judge;
Sergio "Chico" Rodriguez, County Commissioner Precinct No. 1;
Paul Elizondo, County Commissioner Precinct No. 2;
Lyle Larson, County Commissioner Precinct No. 3;
Tommy Adkisson, County Commissioner Precinct No. 4;
Seth Mitchell, Chief of Staff to County Judge;
Tommy J. Tompkins, County Auditor;
Gerard Rickhoff, County Clerk (Rep. by Leonor Salazar);
Susan Reed, District Attorney (Rep. by Ed Schweninger);
Keith L. Charlton, Executive Director - Criminal Justice Planning & Coordination Department;
David Marquez, Executive Director of Economic Development;
Joe Aceves, Executive Director - Infrastructure Services Department;
David J. Morgan, Chief Information Officer - Information Services Department;
David Smith, Executive Director - Planning & Resource Management Department/Budget Officer;
Aurora Sanchez, Executive Director – Community Investment Department; and
Gary O'Bar, Purchasing Agent.

When the following proceedings were had to-wit:

Father Chris Cole, Church of the Resurrection 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 Ben Randle, Jr. expressing to them the sympathy of the court on the loss of their loved one. He attended schools in Hillsboro, Texas where he graduated from Peabody High School. He was inducted into the United States Navy in September 1943. During his tenure he fought in the Battle of Lady Gulf, earning several medals and ribbons of valor. After an honorable discharge, he pursued higher education from 1946-1950 at Langston University where he lettered in band and earned a Bachelor of Science degree in Industrial Arts. He continued his post-graduate work in Industrial Arts Education at Oklahoma State University, Stillwater, Oklahoma and the University Of Incarnate Word, San Antonio, Texas. In 1961 he earned his Master Instructor Rating while teaching at Bergstrom Air Force Base in Austin, Texas. He continued to fine -tune his expertise and obtained his instructor of Instructors License at Chanute Air Force Base Training Facility in Rantoul, Illinois. In 1967, he commenced teaching for the Education Department of the Air Force, which included the organization of the Air Force Social Action Program. He continued this work until he retired in 1986. He is survived by his wife Rita and a host of cousins, nieces, other relatives and friends.

A letter of condolence is to be sent to the family of Annie "Mozelle" Slavich expressing to them the sympathy of the court on the loss of their loved one. She retired after 18 years as an attendance clerk at Harlendale High School and lived out the remainder of her live as a devoted and nurturing wife, mother, and grandmother. She is survived by her husband John "Jack" Slavich; son, Stephan and 2 grandchildren.

A letter of condolence is to be sent to the family of Arturo B. Morales, Jr. expressing to them the sympathy of the court on the loss of their loved one. He is survived by his wife, Rita G. Morales; sons, Arturo G. Morales, III, and John Paul Morales and 3 grandchildren.

A letter of condolence is to be sent to the family of Phyllis J. Koch expressing to them the sympathy of the court on the loss of their loved one. She attended Macungie Church of the Nazarene. She is survived by her husband, David W. Koch; daughters, Sandra Buttdorff and Brenda Rowe and 4 grandchildren.

A letter of condolence is to be sent to the family of Eddie Laubach expressing to them the sympathy of the court on the loss of their loved one.

A letter of condolence is to be sent to the family of Beatrice M. Cantu expressing to them the sympathy of the court on the loss of their loved one. She is survived by her sons, Carlos Cantu, Jr., Rogelio Cantu, David Cantu, Jose Cantu and Rudy Cantu; daughters, Celia Stancu and Beatrice Fentress, and 9 grandchildren and numerous great-grandchildren.

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

*Ben Randle, Jr.
Annie "Mozelle" Slavich
Arturo B. Morales, Jr.
Beatrice M. Cantu
Eddie Laubach
Phyllis J. Koch*



Item – 4
December 9, 2008
Commissioners Court

The Court hereby ordered and approved a motion approving the Consent Agenda (items 7-50) with the exception of items 38 and 42, which will be heard separately and items 30 and 37 which will be deferred 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 – 7
December 9, 2008
Commissioners Court

The Court hereby ordered and approved a motion approving the request from Commissioner Sergio "Chico" Rodriguez, Precinct 1, to re-appoint Linda Rivas to the Hospital District Board of Managers for a term to begin upon appointment and to expire August 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 – 8
December 9, 2008
Commissioners Court

The Court hereby ordered and approved a motion approving the request from Commissioner Tommy Adkisson to appoint Christel Villarreal to the Alamo Regional Mobility Authority to fill the unexpired term of Jesse F. Jenkins, to begin upon appointment and to expire February 1, 2010. (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 – 9
December 9, 2008
County Auditor’s Office

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

- \$ 3,613,948.47 (Checks printed November 25, 2008)
- \$ 11,625,442.27 (Checks printed December 03, 2008)
- \$ 3,954,524.09 (Checks printed December 05, 2008)

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
December 9, 2008
County Auditor’s Office

The Court hereby ordered and approved a motion approving the payment of payrolls, including overtime, and auto allowances to be paid on Monday, December 15, 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 Rodriguez, Elizondo, Larson, Adkisson, and Judge Wolff voting “Aye”.



Item – 11
December 9, 2008
County Auditor’s Office

The Court hereby ordered and approved a motion authorizing the County Auditor to pay bills through Friday, December 12, 2008. The list of bills paid will be presented to the Court on Tuesday, December 16, 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 Rodriguez, Elizondo, Larson, Adkisson, and Judge Wolff voting “Aye”.



Item – 12
December 9, 2008
County Auditor’s Office

The Court hereby ordered and approved a motion accepting the Fair Labor Standards Act (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 – 13
December 9, 2008
County Auditor’s Office

The Court hereby ordered and approved a motion approving a request from the County Auditor’s Office to accept a \$400.00 donation from Aldersgate United Methodist Church to help defray the cost of utilities, etc, at Navajo Building for seniors, in accordance with Local Government Code 81.032. (Record)

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



Item – 14
December 9, 2008
County Auditor’s Office

The Court hereby ordered and approved a motion approving the following Tax Refunds for Paid in Error Requests, which have been reviewed by the Auditor’s Office and found to be valid: (Record)

\$8,853.03 paid in error to account number 349551060970 by First American for Bank of America c/o Home Focus
\$6,327.02 paid in error to account number 045441100160 by AmTrust Bank

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
December 9, 2008

Purchasing Department

The Court hereby ordered and approved a motion awarding a contract to the lowest and best bid submitted by 3M Company on Items 1-6, 11, 12, 16 for an estimated \$79,000.00; Osburn Associates, Inc. on Items 7-10, 21-41 for an estimated \$76,000.00; Swarco Reflex, Inc. on Items 13, 14 for an estimated \$51,000.00; Pathmark Traffic Products on Items 15, 17, 18, 20, 42, 46 for an estimated \$16,000.00; Allied Tube and Conduit, Corporation on Items 43, 44 for an estimated \$43,000.00; Vulcan, Inc. on Item 45 for an estimated \$6,000.00; Safelane Traffic Supply on Item 18 for an estimated \$200.00 and Wenzel Wenzel and Associates, Inc. on Item 19 for an estimated \$13,000.00 to provide for the purchase of traffic control devices and materials on a requirements contract basis for the period beginning December 10, 2008 and ending December 9, 2009 for a combined estimated amount of \$284,000 as requested by the Bexar County Infrastructure Services Department and authorizing the Purchasing Agent to execute and file the 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 – 16
December 9, 2008
Purchasing Department

The Court hereby ordered and approved a motion awarding a contract to Alamo Area Resource Center to provide Bexar County with the purchase of Early Intervention Services Parts A and B for the Ryan White Program for a period beginning upon award and ending March 31, 2009 for a contract amount of \$191,707 as requested by the Bexar County Department of Community Investment and authorizing the contract execution and filing of the 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 – 17
December 9, 2008
Purchasing Department

The Court hereby ordered and approved a motion awarding the renewal of a contract with Waste Management of Texas, Incorporated to provide for the purchase of refuse collection services for a one year period beginning February 1, 2009 and ending January 31, 2010 under the same terms, conditions and pricing in the estimated amount of \$308,267.40 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 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
December 9, 2008
Purchasing Department

The Court hereby ordered and approved a motion awarding a delivery order to French Ellison Truck Center to provide for the purchase of three (3) hybrid trucks for the Public Work Division as requested by the Bexar County Infrastructure Services Department in the amount of \$386,245.00 and authorizing the Purchasing Agent to execute and file the 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 – 19
December 9, 2008
Purchasing Department

The Court hereby ordered and approved a motion awarding a delivery order to Philpott Motors Incorporated to provide for the purchase of three (3) (2008 Ford Crown Victoria Police Interceptor) law enforcement vehicles as requested by Bexar County Constables Precinct 4 in the amount of \$65,655.89 and authorizing the Purchasing Agent to execute and file the 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 – 20
December 9, 2008
Purchasing Department

The Court hereby ordered and approved a motion awarding a contract to the lowest and best bid submitted by Wagner Materials & Construction to provide for the purchase of construction services for the MacArthur Park Parking Lot Reconstruction as requested by the Bexar County Infrastructure Services Department in the contract amount \$255,132.00 and authorizing the Purchasing Agent to execute and file the 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 – 21
December 9, 2008
Purchasing Department

The Court hereby ordered and approved a motion awarding a contract to the lowest and best bid submitted by Full Spectrum Analytics, Inc. to provide for the purchase of medical and computer equipment maintenance services for the period beginning upon award and ending on September 30, 2009 in the amount of \$28,488.00 as requested by the Bexar County Criminal Justice Planning and Coordination Department and authorizing the Purchasing Agent to execute and file the 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 – 22
December 9, 2008
Purchasing Department

The Court hereby ordered and approved a motion authorizing the Purchasing Agent to advertise Invitations for Bids to provide for the purchase of elevator maintenance services as requested by the Bexar County Infrastructure Services Department. (Record)

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



Item – 23
December 9, 2008
Purchasing Department

The Court hereby ordered and approved a motion authorizing the Purchasing Agent to advertise Invitation for Bids for the purchase of an uninterruptible power system for the Forensic Science Center as requested by the Bexar County Criminal Justice Planning and Coordination Department. (Record)

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



Item – 24
December 9, 2008
Purchasing Department

The Court hereby ordered and approved a motion authorizing the Purchasing Agent to advertise a Request for Proposals to provide for the purchase of Food Services for Correctional Facilities as requested by the Bexar County Sheriff's Office and Juvenile Probation Department. (Record)

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



Item – 25

December 9, 2008
Infrastructure Services

The Court hereby ordered and approved a motion approving the First Amendment to the Engineering Services Agreement between Bexar County and Pape Dawson Engineers, Inc., for professional civil engineering design services increasing the amount by \$55,000 for the design fee related to the Bulverde Road at Evans Intersection Project, BC 2008-052. Precinct Number 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 – 26
December 9, 2008
Infrastructure Services

The Court hereby ordered and approved a motion authorizing the County Judge to execute Field Alteration SAWS Number 4 to the contract between Bexar County and E.E. Hood and Sons, Inc., in connection with Braun Road Reconstruction Project, BC 2007-75 increasing the contract amount by \$30,455.98 to be paid by SAWS. Precinct Number 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 – 27
December 9, 2008
Infrastructure Services

The Court hereby ordered and approved a motion authorizing the County Judge to execute Field Alteration SAWS Number 1 to the contract between Bexar County and E.E. Hood and Sons, Inc., in connection with Culebra Road (FM 3487) Reconstruction Project, increasing the contract amount by \$17,765.50 to be paid by SAWS at no cost to the county. Precinct Numbers 1 and 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 – 28
December 9, 2008
Infrastructure Services

The Court hereby ordered and approved a motion authorizing the County Judge to execute Field Alteration Number

2 to the contract between Bexar County and Capital Excavation, in connection with Blanco Road (FM 2696) Reconstruction Project, BC 2008-046 increasing the contract amount by \$30,872.39. Precinct Number 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 – 29
December 9, 2008
Infrastructure Services

The Court hereby ordered and approved a motion authorizing the County Judge to execute Field Alteration Number 3 to the contract between Bexar County and Capital Excavation, in connection with Blanco Road (FM 2696) Reconstruction Project, BC 2008-046 increasing the contract amount by \$111,061.50. Precinct Number 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 – 31
December 9, 2008
Infrastructure Services

The Court hereby ordered and approved a motion accepting the following streets and drains in the identified subdivision for County maintenance to begin December 9, 2008: (Record)

<u>Subdivision</u>	<u>Street/Drain</u>
Heritage Park, Unit 27 Plat Number 040363 (Precinct Number 1)	Sunbird Bay (477.03 lf) Emerald Sun (1,295.3 lf) Misty Plain (171.71 lf) Marble Spur (215 lf)
Kallison Ranch Phase I, Unit 1A and 1B Plat Number 060156 (Precinct Number 2)	High Plain Dr. (1,266.61 lf) Wyoming Pass (1,440.14 lf) Autry Bend (479.55 lf) Western Way (1028.13 lf) Pale Horse Lane (768.39 lf) Painted Wagon (768.68 lf) High Plain Dr. (U-1B) (782.95 lf) Saratoga Pass (727.42 lf) Cheyenne Pass (U-1B) (898.93 lf) Winchester Way (U-1B) (949.06 lf) Fess Parker Dr. (655.44 lf) El Camino Ct. (U-1B) (730.28 lf) Clementine Ct. (363.94 lf)
Kallison Ranch Phase I, Unit 1A and 1B Plat Number 060156 (Precinct Number 2)	Drain A (180.0 lf) Drain A1 (293.65 lf) Drain B (11.01 lf)

Drain C (11.0 lf)
Drain D (11.0 lf)
Drain E
Drain F (11.0 lf)
Drain G (11.0 lf)
Drain H (11.0 lf)
Drain Crossing "B" (89.43 lf)
Drain Crossing "D" (67.97 lf)
Drain Crossing "E" (69.9 lf)

Silver Oaks, Unit 8, Phase B
Plat Number 060112
(Precinct Number 2)

Drain A (118.61 lf)

Valley View Subdivision, Unit 4
Plat Number 060339
(Precinct Number 4)

Sunview Valley (535.00 lf)
Caballo Canyon (910.0 lf)
Horse Hollow (849.40 lf)
Pinto Creek (252.36 lf)

Valley View Subdivision, Unit 4
Plat Number 060339
(Precinct Number 4)

Drain A (15.25 lf)
Drain B (15.25 lf)

Valley View, Unit 5-A
Plat Number 050664
(Precinct Number 4)

Arabian Creek (437.57 lf)
Arabian Cove (343.26 lf)
Mustang Canyon (1,018.34 lf)
Dapple Drive (511.54 lf)
Stable Hollow (557.28 lf)

Valley View, Unit 5-A
Plat Number 050664
(Precinct Number 4)

Drain A (17.25 lf)
Drain B (15.25 lf)
Drain C (10.83 lf)

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
December 9, 2008
Infrastructure Services/Public Works Division

The Court hereby ordered and approved a motion approving to rename the section of Cibolo Canyon Boulevard from Bulverde Road to Evans Road, as TPC Parkway, extending approximately 3 miles within the limits of recorded plats Cibolo Canyon Units 2-A through 2-H, in accordance with the Addressing Standards as adopted by Bexar

County Commissioners Court on April 27, 1993 and last revised on July 12, 1995. Precinct Number 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 – 33-36 & 39

December 9, 2008

Infrastructure Services/Public Works Division

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

Subdivision plat of Canyon Crossing Unit 6, owner: LGI Homes, located northwest of Fire Canyon and Wildcat Canyon, not within the Edwards Aquifer Recharge Zone. Precinct Number 1.

Subdivision plat of Kinder Northeast Unit 2 P.U.D., owner: Clifton Land I, LP, located southwest of Kinder Bluff and Kinder Parkway, not within the Edwards Aquifer Recharge Zone. Precinct Number 3

Subdivision plat establishing Frangagma, LLC, owner: Building Traditions., located northwest of Canyon Golf Road and Wilderness Oak Road, within the Edwards Aquifer Recharge Zone. Precinct Number 3.

Subdivision plat of Summerglen Unit 5A-4 P.U.D., owner: Southerland Properties, located northwest of Wilderness Oak and Alpine Lodge, within the Edwards Aquifer Recharge Zone. Precinct Number 3.

Subdivision plat establishing Utturkar Subdivision, owner: Anant K. Utturkar, M.D., located south of Walzem Road and Archers Grove, not within the Edwards Aquifer Recharge Zone. Precinct Number 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 – 40

December 9, 2008

Economic Development

The Court hereby ordered and approved a motion approving ratification to the grant application submitted to the Department of Defense for the Office of Economic Adjustment grant as explained in Title 10 U.S.C. Section 2391 to be granted to County of Bexar for the purpose of conducting a Joint Land Use Study in conjunction with Lackland Air Force Base for the total amount of \$351,125 which includes a County match of \$35,125 (10%); and acceptance

of grant funding upon award. The grant term is to commence October 30, 2008 through October 2009. (Record-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 – 41
December 9, 2008
Community Investment

The Court hereby ordered and approved a motion approving execution of the contract between Bexar County and the Texas Department of Family and Protective Services for the administration of the "Prevention Mascot Program" to promote community awareness and prevention of child abuse and /or neglect in Bexar County for a one year period beginning October 1, 2008 and ending September 30, 2009 in the amount of \$1,000 from the General Fund. (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
December 9, 2008
Community Investment

The Court hereby ordered and approved a motion approving the Management Agreement between Bexar County and Project Quest to provide funding for a program that includes job training and supportive services to individuals with barriers to employment, for a one-year period beginning October 1, 2008, and ending on September 30, 2009, in the amount of \$240,000 from the General Fund. (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
December 9, 2008
Community Investment

The Court hereby ordered and approved a motion approving the Management Agreement between Bexar County and Catholic Charities for a one-year period beginning October 1, 2008, and ending on September 30, 2009, in the amount of \$183,059 from the General Fund. (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
December 9, 2008
Community Investment

The Court hereby ordered and approved a motion approving the Management Agreement between Bexar County and Keep San Antonio Beautiful for a one-year period beginning October 1, 2008, and ending on September 30, 2009, in the amount of \$10,000 from the General Fund. (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
December 9, 2008
Community Investment

The Court hereby ordered and approved a motion approving execution of the Management Agreement between Bexar County and Christian Senior Services for payment of meals for nutritionally at-risk seniors through their “Meals on Wheels” program for a one-year period beginning October 1, 2008 and ending September 30, 2009 in the amount of \$12,065 from Community Development Block Grant Program Funds. (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
December 9, 2008
Community Investment

The Court hereby ordered and approved a motion approving execution of the Public Service Management Agreement between Bexar County and Any Baby Can for the Prescription Assistance Program utilizing Program Year 2008 Community Development Block Grant funds in the amount of \$25,000. (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 – 48
December 9, 2008
Community Investment

The Court hereby ordered and approved a motion approving a request from Commissioner Sergio “Chico” Rodriguez, Precinct 1 to appoint Hilda P. Garcia to the Verano Tax Increment Reinvestment Zone (TIRZ) Board for a two-year term to begin upon appointment and expire on December 8, 2010. (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
December 9, 2008
Planning and Resource Management

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

Office/Department	BT#	Amount	From	To
Civil District Courts	BT09-024	\$17,000	Court Appointed Attorney – Ad Litem	Technology Improvement

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
December 9, 2008
Planning and Resource Management

The Court hereby ordered and approved a motion approving the reappointment of Sandra Martinez, Sean P. Martinez, and Noah A. Rodriguez, Sr. to serve on the Bexar County Civil Service Commission, with the new term to be effective January 1, 2009 and expire December 31, 2010. (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
December 9, 2008
Community Investment

The Court hereby ordered and approved a motion approving execution of the Adoption Services Contract between Bexar County and the Texas Department of Family and Protective Services for the administration of “Project Push” and “Project Swift” in Bexar County for a one year period beginning October 1, 2008 and ending September 30, 2009 in the amount of \$292,925 from the General Fund to include the appropriate 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
December 9, 2008
Infrastructure Services/Public Works Division

Discussion was held regarding the approval of subdivision plat within the Extra Territorial Jurisdiction of the City of San Antonio: Threshold Ranch P.U.D., owner: Airland I, Inc. located northeast of Boerne Stage Road and

Bridlewood Trail, not within the Edwards Aquifer Recharge Zone. Precinct Number 3.

A motion was presented by County Commissioner Tommy Adkisson, duly seconded by County Commissioner Sergio “Chico” Rodriguez, to defer item 38 until the next Court meeting.

Motion was voted on as follows: Commissioners Rodriguez, Elizondo, Larson, Adkisson, and Judge Wolff voting “Aye”.

Motion Carried and it is so ordered.

♠♠

Item – 5

December 9, 2008

Commissioners Court

Communications, including citizens who signed the registration/sign-in form, and reports: (Record)

Mary Fenstermaker – item 30 & 37

Eleanor Crow – item 38

Richard O’Neil – item 38

Daniel Struser

Theresa Nunez

Janet Ahmad

Leroy Montgomery

Darlene Struser

Adam Martin

Melton Guardado

Diana Wildman

Michael Girdley

Bebe Fenstermaker – item 38

Robert Bruce – item 38

George Alejos - 53

Samuel Metz

Roy Marr

Alketoe Patterson

Bryan Williams

Rosemarie Montgomery

Celina Montoya

Sherry McCarthy

Gilbert Hernandez

Bebe Fenstermaker – item 52

♠♠

Commissioners Court recessed at this time. 1:00 p.m.

♠♠

Commissioners Court reconvened at this time. 1:55 p.m.

♠♠

Item – 6

December 9, 2008

Commissioners Court

The Court hereby ordered and approved a motion approving the Commissioners Court minutes for Monday, November 17, 2008, Wednesday, November 19, 2008, and Tuesday, November 25, 2008 as printed. (Record)

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

♠♠

Commissioner Tommy Adkisson joined the meeting at this time.



Item – 3a
December 9, 2008
Commissioners Court

The Court hereby ordered and approved a motion approving the adoption of the Bexar County Hospital District d/b/a University Health System’s Operating, Debt Service and Capital Budget for Fiscal-Year 2009. (Record)

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

Commissioner Paul Elizondo joined the meeting at this time.



Item – 51
December 9, 2008
Infrastructure Services

The Court hereby ordered and approved a motion approving an order designating the North end of the Bexar County Courthouse as the location for sale of real property pursuant to statutory authority designation location for judicial foreclosures (Texas Rules of Civil Procedure Section 646(a) – Section 647); Tax Sales and Resales (Texas Tax Code Section 34.01); the Sale of Real Estate pursuant to contractual liens Texas Property Code Section 51.002); and any other sale of real property statutorily mandated to be conducted at a County Courthouse which sales will be conducted between 10:00 a.m. and 4:00 p.m. on the first Tuesday of each month, effective January 1, 2009, this relocation is occurring as a result of construction to be taking place on the South end of the Bexar County Courthouse. (Record)

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



Item – 52
December 9, 2008
Infrastructure Services

The Court hereby ordered and approved a motion approving the resolution to accept the terms proposed by Texas Department of Transportation for development of a pass-through financing agreement for two projects: SH211 (Hill Country Parkway) from FM 471 (Culebra Road) to just south of FM 1957 (Potranco Road) and FM 1957 (Potranco Road) from Loop 1604 to 1.1 miles west of SH 211 (Hill Country Parkway). (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, Adkisson, and Judge Wolff voting “Aye”.



Item – 53
December 9, 2008
Fire Marshal

The Court hereby ordered and approved a motion approving an Order prohibiting the sale or use of restricted fireworks effective on the date of adoption of the Order. (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
December 9, 2008
Community Investment

The Court hereby ordered and approved a motion approving the Management Agreement between Bexar County and Texas Department of Family and Protective Services for a one-year period beginning October 1, 2008, and ending on September 30, 2009, in the amount of \$2,246,717 from the General Fund to include the appropriate budgetary transfer. (Record)

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



Item – 58
December 9, 2008
Economic Development

The Court hereby ordered and approved a motion directing staff to negotiate an economic development grant agreement pursuant to Chapter 381 of the Texas Local Government Code, with the Brooks Development Authority in the amount of \$3.3 million in support of infrastructure improvements. (Record)

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



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



Item – 55
December 9, 2008
Community Venues Program

The Court hereby ordered and approved a motion approving the Grant and Development Agreement and the Operating Agreement between Bexar County and Southeast Boys Baseball, Inc., d/b/a Southeast Pony Baseball for

the renovation of the Southeast Skyline Baseball Complex to include design and construction of seven Pony size baseball fields and other improvements as well as the operation of that sports facility for local, regional and state Pony League competition. (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 Elizondo, Larson, Adkisson, and Judge Wolff voting “Aye”.



Item – 57

December 9, 2008

Planning and Resource Management

The Court hereby ordered and approved a motion awarding the renewal of a professional service contract with Garza/Gonzalez & Associates to provide Bexar County with professional Auditing Services for a three year period, effective October 1, 2008, under the terms and conditions outlined in the fifth Amendment to the Agreement for Professional Services for Audits at an estimated annual cost of \$127,000. (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 Elizondo, Larson, Adkisson, and Judge Wolff voting “Aye”.



Commissioner Paul Elizondo left the meeting at this time.



Item – 56

December 9, 2008

Sheriff's Office

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

No action was taken.



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

551.071 –

Consultation with Attorney for advice regarding:

- a. Pending or contemplated litigation or settlement offers in the following matters:
 - i. Augueros and Rabago v. Mark Vargas and Bexar County (Cause No. SA-07-CA-904-XR)
 - ii. Claim of Christian Salas v. Sheriff's Deputy Martin Perez
 - iii. Claim of Patrick O. Suggs and USAA v. Stephen Martinez

- 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. City/County Agreement for Animal Care Services
 - iii. City/County Agreement for Library Services

4:20 P.M.



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

4:40 P.M.



Item – 60 a (ii)
December 9, 2008
Commissioners Court

The Court hereby ordered and approved a motion approving recommendation from the District Attorney’s Office settlement proposal in the amount of \$32,500 in the litigation style: Christian Salas vs. Sheriff’s Deputy Martin Perez.

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



Item – 60a (iii)
December 9, 2008
Commissioners Court

The Court hereby ordered and approved a motion approving recommendation from the District Attorney’s Office settlement proposal in the amount of \$15,729.74 in the litigation style: Patrick O. Suggs and USAA vs. Stephen Martinez.

A motion was presented by County Commissioner Lyle Larson, duly seconded by County Commissioner Tommy Adkisson, which motion was voted on as follows: Commissioners 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 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 Ben Randle, Jr., Annie “Mozelle” Slavich, Arturo B. Morales, Jr., Beatrice M. Cantu, Eddie Laubach and Phyllis J. Koch* until Tuesday, December 16, 2008 at 11:00 a.m.

4:45 P.M.

NELSON W. WOLFF, COUNTY JUDGE
BEXAR COUNTY, TEXAS

ATTEST: GERARD RICKHOFF
COUNTY CLERK
BEXAR COUNTY, TEXAS
