

Orders of Commissioners Court
Bexar County, Texas

TUESDAY, DECEMBER 16, 2008

Court met at 11:10 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 16, 2008.

Present at roll call:

Nelson W. Wolff, County Judge;
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 Schweningen);
Keith L. Charlton, Executive Director - Criminal Justice Planning & Coordination Department;
David Marquez, Executive Director of Economic Development;
Joe Aceves, Executive Director - Infrastructure Services Department;
David J. Morgan, Chief Information Officer - Information Services Department;
David Smith, Executive Director - Planning & Resource Management Department/Budget Officer;
Aurora Sanchez, Executive Director – Community Investment Department; and
Gary O'Bar, Purchasing Agent.

When the following proceedings were had to-wit:

Texas Senator Jeff Wentworth, District 26 gave the invocation at today's meeting. County Commissioner Lyle Larson led the Pledge of Allegiance. Prayer filed for record.



A letter of condolence is to be sent to the family of David Arevalo expressing to them the sympathy of the court on the loss of their loved one. His outstanding commitment and dedication to others was reverberated through his humble actions, as a community activist and his constant enthusiasm for justice will always be remembered. He is survived by his wife Patricia Arevalo; children Elizabeth Arevalo and Dominick Arevalo and numerous nieces and nephews.

A letter of condolence is to be sent to the family of Lucy Gomez expressing to them the sympathy of the court on the loss of their loved one. She is a graduate of Lanier High School and Our Lady of the Lake University. Her life was dedicated to education. She began her career in 1954 as an elementary teacher at Loma Park and ended her career as principal for Cenizo Park and Hoelcher Elementary in the Edgewood School District. The lives of hundreds of children, of all ages, and as well as many colleagues have been significantly enriched through her work in Education. She is survived by her children, Liz Bumgarner, Marty Castro, and Andy Gomez; and 6 grandchildren.

A letter of condolence is to be sent to the family of Ruth Guidry expressing to them the sympathy of the court on the loss of their loved one. She is survived by her daughters, Nancy Whistler and Judy Hess and 3 granddaughters and 3 great-grandchildren, numerous nieces and nephews.

A letter of condolence is to be sent to the family of William P. "Bill" Albert expressing to them the sympathy of the court on the loss of their loved one. He served in the United States Army Air Corp during World War II in the Asiatic Pacific Theater. He worked in the Civil Service and also worked in retail sales. He was a member of the Lutheran Church. He is survived by his wife Gertrude "Trudy" Albert and his son, Walter G. Albert and 2 grandsons.

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

*David Arevalo
Lucy Gomez
Ruth Guidry
William P. "Bill" Albert*



Item – 3 (a-c)
December 16, 2008
Commissioners Court

The Court presented a service pin to Gloria C. Williams, a District Attorney's Office employee for 25 years of service to Bexar County. (Record)

The Court presented an Hidalgo to Mary Jane Esquivel for 25 years of service with Bexar County. (Record)

The Court presented a proclamation to the San Antonio Men's Senior Baseball League recognizing and proclaiming Tuesday, December 6th to be "San Antonio Men's Senior Baseball League Day." (Record)



Item – 4 (a-b)
December 16, 2008
Commissioners Court

Special Presentations

The Court presented a certificate, flag, badge, patch and key to Reverend Chris Minor in honor of his father Claudius M. Minor, the first Black Commissioned Deputy in the Sheriff's Office. (Record)
Sheriff Rolando Tafolla and Sheriff Elect Amadeo Ortiz were present.



Item – 6
December 16, 2008
Commissioners Court

The Court hereby ordered and approved a motion approving the Consent Agenda (items 7-42) with the exception of items 34 which will be heard separately and items 33 & 36, which will be deferred at this time.

A motion 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".



Item – 9

December 16, 2008
Commissioners Court

The Court hereby ordered and approved a motion approving and accepting statutorily required Official Bonds and Oaths for the following elected County officials, for the term beginning January 1, 2009: (Record)

<u>County Official</u>	<u>Position</u>
Sergio "Chico" Rodriguez	Commissioner, Precinct 1
Kevin A. Wolff	Commissioner, Precinct 3
Amadeo Ortiz	Sheriff
Sylvia S. Romo	Tax Assessor-Collector
Ruben C. Tejada	Constable, Precinct 1
Val Flores	Constable, Precinct 2
Mark Vojvodich	Constable, Precinct 3
Robert "Mike" Blount	Constable, Precinct 4
Monica Lisa Cabellero	Justice of the Peace, Precinct 1, Place 1
Steve Walker	Justice of the Peace, Precinct 2, Place 1

A motion 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".



Item – 10
December 16, 2008
Commissioners Court

The Court hereby ordered and approved a motion approving the resolution supporting Legislative action to create programs and provide funding for the enhancement of public transportation including relocation of freight rail lines. (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 Larson, Adkisson, and Judge Wolff voting "Aye".



Item – 11
December 16, 2008
Commissioners Court

The Court hereby ordered and approved a motion approving a request from Judge Nelson Wolff to re-appoint Aurora Sanchez to the Houston Street Tax Increment Reinvestment Zone (TIRZ) Board for a two-year term to begin on January 1, 2009 and expire on December 31, 2010. (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 Larson, Adkisson, and Judge Wolff voting "Aye".



Item – 12
December 16, 2008

District Attorney's Office

The Court hereby ordered and approved a motion authorizing the County Judge to accept funds awarded for the continuation of the Project Safe Neighborhood Anti-Gang Initiative "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 United States Attorney's Office, with no cash or in-kind match required, in the amount of \$81,800 for up to 24 months. (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 Larson, Adkisson, and Judge Wolff voting "Aye".



Item – 13

December 16, 2008

District Attorney's Office

The Court hereby ordered and approved a motion authorizing execution of one Title IV-E purchase voucher to be submitted to the Texas Department of Protective and Regulatory Services for reimbursement in the total amount of \$65,016.78 for legal services rendered by the Criminal District Attorney's Office from July 2008 through September 2008. (Record-to be filed later)

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



Item – 14

December 16, 2008

Sheriff's Office

The Court hereby ordered and approved a motion approving the Sheriff's Office request to appoint Rolando R. Tafolla as Chief Deputy at a salary of \$120,000 per year effective January 1, 2009 and to reinstate 60 days of sick leave. (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 Larson, Adkisson, and Judge Wolff voting "Aye".



Item – 15

December 16, 2008

Tax Assessor-Collector

The Court hereby ordered and approved a motion approving a request for the waiver of penalty and interest, for the Bexar County taxing jurisdiction, in the amount of \$582.71 on account #12811-001-0250, Dr. J. Marvin Smith III, tax year 2007 in accordance with Section 33.011 of the Texas Property Tax Code. (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 Larson, Adkisson, and Judge Wolff voting "Aye".



Item – 16
December 16, 2008
County Auditor’s Office

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

\$ 3,470,072.14 (Checks printed December 10, 2008)
\$ 3,806,128.96 (Checks printed December 12, 2008)

A motion 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”.



Item – 17
December 16, 2008
County Auditor’s Office

The Court hereby ordered and approved a motion approving and authorizing the County Auditor to pay bills through Friday, January 2, 2009. The list of bills paid will be presented to the Court on Tuesday, January 6, 2009. (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 Larson, Adkisson, and Judge Wolff voting “Aye”.



Item – 18
December 16, 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 Wednesday, December 31, 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 Larson, Adkisson, and Judge Wolff voting “Aye”.



Item – 19
December 16, 2008
County Auditor’s Office

The Court hereby ordered and approved a motion approving the Tax Assessor-Collector’s Report of Taxes collected in November 2008 and approving the order transferring tax collections for the month November 2008 from unallocated receipts. (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 Larson, Adkisson, and Judge Wolff voting “Aye”.



Item – 20
December 16, 2008
Purchasing Department

The Court hereby ordered and approved a motion amending the contract with Global 360, Inc. to provide for the purchase of imaging, scanning, and microfilming equipment with no change in the total contract amount of \$59,435.00 as requested by the Bexar County District Clerk's Office and authorizing the Purchasing Agent to execute and file the appropriate award documents for record. (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 Larson, Adkisson, and Judge Wolff voting "Aye".



Item – 21
December 16, 2008
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 without time to give a proper notice or an advertisement to be made; awarding a contract to Shootz Production Group in the amount of \$46,865 for the purchase of emergency management video production services as requested by the Bexar County Fire Marshal and Emergency Management Office; and authorizing the Purchasing Agent to execute and file the appropriate award documents for record. (Record-contract to be filed later)

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



Item – 22
December 16, 2008
Purchasing Department

The Court hereby ordered and approved a motion awarding a delivery order to Philpott Motors, Inc. to provide for the purchase of one (1) 2009 Ford Focus vehicle as requested by Bexar County Community Supervision and Corrections Department in the amount of \$13,522.97 and authorizing the Purchasing Agent to execute and file the appropriate award documents for record. (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 Larson, Adkisson, and Judge Wolff voting "Aye".



Item – 23
December 16, 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 six (6) law enforcement vehicles as requested by the Bexar County Constable Precinct 3 in the amount of \$160,690.08 and authorizing the Purchasing Agent to execute and file the appropriate award document for record. (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 Larson, Adkisson, and Judge Wolff voting "Aye".



Item – 24
December 16, 2008
Purchasing Department

The Court hereby ordered and approved a motion awarding a contract to lowest and best bid submitted by Beldon Roofing Company to provide for the purchase of construction services for the Repair of the Metal Roof at the Bexar County Adult Detention Center as requested by the Bexar County Infrastructure Services Department in the contract amount of \$78,054.00 and authorizing the Purchasing Agent to execute and file the appropriate award documents for record. (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 Larson, Adkisson, and Judge Wolff voting "Aye".



Item – 25
December 16, 2008
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 on a sole source basis to Dailey-Wells Communications for the purchase of maintenance for radios, chargers and control stations as requested by the Bexar County Information Services Department in the amount of \$139,844.00 and authorizing the Purchasing Agent to execute and file the appropriate award documents for record. (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 Larson, Adkisson, and Judge Wolff voting "Aye".



Item – 26
December 16, 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 2009-2010 Comprehensive Needs Assessment for the Ryan White Program as requested by the Bexar County Department of Community Investment. (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 Larson, Adkisson, and Judge Wolff voting "Aye".



Item – 27

December 16, 2008
Purchasing Department

The Court hereby ordered and approved a motion authorizing the Purchasing Agent to advertise a Request for Proposal for the purchase of construction services to include Painting, Carpet Replacement, and Carpentry Work for various Bexar County facilities as requested by the Bexar County Infrastructure Services Department. (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 Larson, Adkisson, and Judge Wolff voting "Aye".



Item – 28
December 16, 2008
Infrastructure Services

The Court hereby ordered and approved a motion approving an Engineering Services Agreement between Bexar County and Structural Engineering Associates, Inc. for professional civil engineering design services in an amount not to exceed \$252,216.78 related to the Shane Road LWC #2301 Project (Flood Control Division SA-4), BC 2009-049. Precinct Number 1 (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 Larson, Adkisson, and Judge Wolff voting "Aye".



Item – 29
December 16, 2008
Infrastructure Services/Public Works Division

The Court hereby ordered and approved a motion authorizing approval of Order correcting the purchase of right-of-way, being 0.101 acres of land known as Parcel 29 and being 0.010 acres of land known as Parcel 31, Borgfeld Road from Walter G. Cook, III for total consideration of \$2,620. Precinct Number 3 (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 Larson, Adkisson, and Judge Wolff voting "Aye".



Item – 30
December 16, 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 EE Hood and Sons, Inc., in connection with Braun Road Reconstruction Project, BC 2007-75 increasing the contract amount by \$227,504.09. Precinct Number 2 (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 Larson, Adkisson, and Judge Wolff voting "Aye".



Item – 31 & 32

December 16, 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 Preserve at Medina River Unit 13, owner: Presto Properties, Ltd., located southwest of Watson Road and State Highway 16, not within the Edwards Aquifer Recharge Zone. Precinct Number 1.

Subdivision plat establishing Heritage Park Unit 29A, owner: KB Home Lone Star L.P., located northeast of Pue Road and Bonaventura Boulevard, not within the Edwards Aquifer Recharge Zone. Precinct Number 1.

A motion 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".



Item – 35

December 16, 2008

Infrastructure Services

The Court hereby ordered and approved a motion authorizing closing and abandoning channel easement located in South Bexar County, being 5.35 acres of land located on Watson Road. Precinct Number 1 (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 Larson, Adkisson, and Judge Wolff voting "Aye".



Item – 37

December 16, 2008

Infrastructure Services/Public Works Division

The Court hereby ordered and approved a motion accepting the following streets and drains in the identified subdivisions for County maintenance to begin December 16, 2008: (Record)

Subdivision

Streets/Drains

Vistas of Westcreek, Unit 2
Plat Number 020468
(Precinct Number 1)

Blue Juniper (1,476 (Type "L"))
Scarlet Sage (9 (Type "L"))
Birchwood Bay (1,720 (Type "L"))
Rambling Rose (9 (Type "L"))
Garden Lily (151.18 (Type "L"))
Gardenia Pass (439.99 (Type "L"))

Vistas of Westcreek, Unit 2
Plat Number 020468
(Precinct Number 1)

Drain B (10.0 lf)
Drain C (10.0 lf)
Drain D (10.0 lf)
Drain E (10.0 lf)
Drain F (286 lf)
Drain G (20.0 lf)

Silver Oaks, Unit 5
Plat Number 050164
(Precinct Number 2)

Woodland Pines (757 lf)
Apricot Bloom (602.26 lf)
Red Ascot (299.0 lf)
Kent Forest (538.01 lf)
Stone Chase (170.0 lf)
Deer Creek Run (678.20 lf)
Silver Pointe (1,028.50 lf)

A motion 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”.



Item – 38
December 16, 2008
Community Investment

The Court hereby ordered and approved a motion approving the Management Agreement between Bexar County and San Antonio Food Bank to provide food items to low-income seniors for a one-year period beginning October 1, 2008, and ending on September 30, 2009, in the amount of \$10,112 from the General Fund. (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 Larson, Adkisson, and Judge Wolff voting “Aye”.



Item – 39
December 16, 2008
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 After School/Summer recreation project utilizing Program Year 2008 Community Development Block Grant funds in the amount of \$34,068. (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 Larson, Adkisson, and Judge Wolff voting “Aye”.



Item – 40
December 16, 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
Justice of the Peace Pct.	BT09-27	\$58,500	Non-Departmental	Office & Other

2 & 4			Performance Review Recommendations (9219)	Equipment (8440)
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A motion 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”.



Item – 41
December 16, 2008
Planning and Resource Management

The Court hereby ordered and approved a motion approving the resolution relating to establishing the County's intention to reimburse itself for the prior lawful expenditure of funds from the proceeds from the Public Property Finance Contractual Obligations to be issued by the County for authorized purposes; authorizing other matters incident and related thereto; to be effective, December 16, 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 Larson, Adkisson, and Judge Wolff voting “Aye”.



Item – 42
December 16, 2008
Economic Development

The Court hereby ordered and approved a motion approving the Tax Phase-In Agreement with KLN Steel Products Company, LLC, for a 10-year, 40% abatement of County ad valorem taxes on qualified personal property. (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 Larson, Adkisson, and Judge Wolff voting “Aye”.



Item – 34
December 16, 2008
Infrastructure Services

The Court hereby ordered and approved a motion approving and establishing 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 (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”.

Commissioners Sergio “Chico” Rodriguez and Paul Elizondo joined the meeting at this time.



Item – 7
December 16, 2008
Commissioners Court

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

- a. Declaration of local State of Disaster – Order prohibiting sale, use or ignition of incendiary devices including all fireworks and any pyrotechnical material.
- b. Proclamation Whereas the City of San Antonio will convey the land known as the “Courthouse Tract” to Bexar County on December 7, 2008, and celebrate the installation of the restored Lady Justice Fountain.



Item – 4b
December 16, 2008
Special Presentation

County Commissioner Paul Elizondo read into the record a Resolution recognizing and commending Lyle Larson for his service on Commissioners Court and his 12-year career of outstanding service to the citizens of Bexar County; and wishes him well for the future. (Record)



Item – 8
December 16, 2008
Commissioners Court

Communications, including citizens who signed the registration/Sign-in form and reports.

Rhett Smith
Mary Jane Martinez

Julie Marquez
Diana Ibanez



Commissioners Court recessed at this time. 12:45 p.m.



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



A motion was presented by County Commissioner Paul Elizondo, duly seconded by County Commissioner Sergio “Chico” Rodriguez, to suspend with the regular order of business and consider agenda item 45a at this time.

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



Item – 45a
December 16, 2008
Judge Philip A. Kazen, Jr.

The Court hereby ordered and approved motion approving the creation of an Auxiliary Official Court Reporter position, pursuant to the Texas Government Code 52.044, at the base salary which is statutorily set by the District Court Judges, prorated for nine months to be \$64,548, plus benefits, effective January 1, 2009; and 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, and Judge Wolff voting “Aye”.



Item – 5a
December 16, 2008
Commissioners Court

Presentation by Rod Kelly, representative from Parsons Transportation Group and Chip Taylor with Lockwood Andrews Newnam, consultants engaged by VIA Metropolitan Transit (VIA), to study the feasibility of using portions of the Union Pacific’s Kerrville Subdivision for public transportation. (Record)

The Court hereby ordered and approved a motion approving \$10,000 in County funds to assist VIA in the underwriting of the study to determine the feasibility of using portions of the Union Pacific’s Kerrville Subdivision for public transportation. (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”.

**Commissioners Lyle Larson and
Tommy Adkisson joined the meeting at this time.**



Item – 5b
December 16, 2008
Commissioners Court

Presentation by David Dean, representative from Dean International, Inc. to discuss the Texas High Speed Rail and Transportation Corporation collaborative effort to develop a multi-modal transportation corridor and high- speed rail passenger system in Texas. (Record)

No action was taken.



Item – 5c
December 16, 2008
Economic Development

Presentation and discussion was held regarding status of the Camp Bullis Joint Land Use Study (JLUS). (Record)

No action was taken.



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



Item – 43
December 16, 2008
Purchasing Department

The Court hereby ordered and approved a motion awarding a contract to the lowest and best bid submitted by Quest Diagnostics, Inc., to provide for the purchase of medical laboratory testing services on a requirements contract basis for the period beginning upon award and ending December 31, 2009 for an estimated \$95,000 as requested by the Bexar County Community Supervision & Corrections Department and authorizing the Purchasing Agent to execute and file the appropriate award documents for record. The Court does question whether it has any role in awarding this contract for the Bexar County Community Supervision & Corrections Department considering that the County is not a party to the contract and the Department Director by statute has full authority to negotiate and enter into contracts on behalf of the Department. (Record-contract to be filed later)

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



Item – 44
December 16, 2008
Purchasing Department

The Court hereby ordered and approved a motion approving the recommendation from the Purchasing Agent to accept a cash payment in the amount of \$39,984.81 paid by Office Depot as a result of negotiated purchases for office supplies and other materials for Bexar County Departments and Offices during fiscal year 2008. (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, and Adkisson voting “Aye”.



Item – 45b
December 16, 2008
Probate Courts

The Court hereby ordered and approved a motion approving the creation of two Probate Court Auditor positions Table (E-05) effective December 16, 2008 and authorizing the deletion of two Probate Court Assistant Auditors

Table (NE-08) effective January 16, 2009 as requested by the Probate Judges. (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, and Adkisson voting “Aye”.



Item – 45c
December 16, 2008
District Clerk’s Office

The Court hereby ordered and approved a motion approving to waive the compensation rules and hire Jesse Alvarez as a Criminal Assignment Clerk III at a yearly salary of \$31,116, to be effective January 1, 2009. (Record)

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



Item – 45d
December 16, 2008
Justice of the Peace Courts

The Court hereby ordered and approved a motion approving an Analyst Programmer I position Table (E-06) for the Justice of the Peace Courts to be funded with the JP Technology Fund at a cost of \$57,731 per year including salary and benefits and housed in the Information Services Department; and to include the appropriate budgetary transfer. (Record)

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



Item – 45e
December 16, 2008
Sheriff’s Office

The Court hereby ordered and approved a motion approving an emergency request by the Sheriff’s Department to authorize paid overtime in lieu of compensatory time for the positions of Public Safety Operator, Public Safety Dispatcher I and Public Safety Dispatcher II in an amount not to exceed \$10,500 to support New Year’s Eve operations. (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, and Adkisson voting “Aye”.



County Judge Nelson W. Wolff and
Commissioner Lyle Larson returned to the meeting at this time.



Item – 47
December 16, 2008
Community Investment

The Court hereby ordered and approved a motion approving the Interlocal Agreement and the Development Agreement for the Verano Tax Increment Reinvestment Zone. (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 – 46
December 16, 2008
Information Services

The Court hereby ordered and approved a motion approving a contract between Bexar County and Initiate Systems for development and implementation of the Enterprise Master Name Index in an amount not to exceed \$1,750,000. (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 – 48
December 16, 2008
Community Venues Program

The Court hereby ordered and approved a motion approving the Grant and Development Agreement and the Operation Agreement between Bexar County and McAllister Park Little League for the renovation of the McAllister Park Little League Baseball Complex to include design and construction of six new youth size baseball fields and redevelop the four existing baseball fields and other improvements as well as the operation of that sports facility for local, regional and state competition. (Record-agreement to be filed later)

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



Item – 49
December 16, 2008
Economic Development

The Court hereby ordered and approved a motion approving the joint Tax Abatement Guidelines for Bexar County and City of San Antonio, to be effective January 1, 2009 through December 31, 2010. (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 – 50
December 16, 2008
Economic Development

The Court hereby ordered and approved a motion approving the economic development grant agreement pursuant to Chapter 381 of the Texas Local Government Code, with the Brooks Development Authority in the amount of \$3,300,000 in support of infrastructure improvements. (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 Elizondo, Larson, Adkisson, and Judge Wolff voting “Aye”.

Commissioner Lyle Larson left the meeting at this time.



Item – 51
December 16, 2008
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. (Record)

No action was taken.

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



Item – 52
December 16, 2008
Planning and Resources Management

Discussion was held regarding the request for additional information to consider designating additional holidays for Fiscal-Year 2008-09. (Record)

A motion was presented by County Commissioner Sergio “Chico” Rodriguez, to consider designating Friday, December 26, 2008, as an additional holiday for Fiscal-Year 2008-09. Motion died for lack of second.



Commissioner Lyle Larson returned to the meeting at this time.



Item – 53
December 16, 2008
Commissioners Court

The Court hereby ordered and approved a motion approving the reappointment of Orlando P. Hernandez as the Bexar County Fire Marshal/Emergency Management Coordinator for a two-year term to begin January 1, 2009 and

to expire December 31, 2010, to include a salary adjustment for his position as Bexar County Fire Marshal/Emergency Management Coordinator. (Record)

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



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)
- 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. Planning acquisition, establishment, financing, construction, and renovation of sports and community venue projects in accordance with the provisions of Chapter 334, as amended, Texas Local Government Code.
- a. Development Agreement for Alameda Theater Renovation
 - ii. Professional Services Agreement with the law firm of Denton, Navarro, Rocha & Bernal;
 - iii. City/County Agreement for Animal Care Services; and
 - iv. City/County Agreement for Library Services

551.074

Personnel Matters:

- b. To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee. The following individuals may be considered during this executive deliberation.
 - i. Joe Aceves, Executive Director, Infrastructure Services;
 - ii. Keith Charlton, Executive Director, Criminal Justice Planning & Coordination;
 - iii. David Marquez, Executive Director, Economic Development;
 - iv. Seth Mitchell, Chief of Staff, County Judge;
 - v. Dr. David J. Morgan, Chief Information Officer, Information Services;
 - vi. Aurora Sanchez, Executive Director, Community Investment;
 - vii. David Smith, Executive Director, Planning and Resource Management; and
 - viii. Orlando Hernandez, Fire Marshal

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

4:30 P.M.



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

5:50 P.M



Item – 55
December 16, 2008
District Attorney’s Office

The Court hereby ordered and approved a motion approving recommendation from the District Attorney’s Office settlement offer in the amount of \$53,000.00 in the following lawsuit: Augueros and Rabago v. Mark Vargas and Bexar County (Cause No. SA-07-CA-904-XR)

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



A motion for adjournment 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." It is ordered by the Court that Commissioners Court of Bexar County, Texas be, and hereby stands, adjourned, *In honor and memory of David Arevalo, Ruth Guidry, William P. “Bill” Albert, and Lucy T. Gomez* until Wednesday, December 17, 2008 at 10:00 a.m.

5:55 P.M.

NELSON W. WOLFF, COUNTY JUDGE
BEXAR COUNTY, TEXAS

ATTEST: GERARD RICKHOFF
COUNTY CLERK
BEXAR COUNTY, TEXAS
