

Orders of Commissioners Court  
Bexar County, Texas

**TUESDAY, MARCH 10, 2009**

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, March 10, 2009.

Present at roll call:

Nelson W. Wolff, County Judge;  
Paul Elizondo, County Commissioner Precinct No. 2;  
Kevin A. Wolff, 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);  
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:

Justice Sandee Bryan Marion, Fourth Court of Appeals gave the invocation at today's meeting. Commissioner Kevin A. Wolff led the Pledge of Allegiance.



A letter of condolence is to be sent to the family of Fay Sinkin expressing to them the sympathy of the court on the loss of their loved one. She had a long life of community involvement, serving as president of the League of Women Voters, organizing the Visiting Nurse Association, and leading the effort to protect the Edwards Aquifer. She was the first woman to serve on a grand jury and the first woman to serve on the San Antonio Board of Health. She was also elected to the Edwards Underground Water District. She is survived by her husband, William R. Sinkin; 2 sons, Richard Sinkin and Lanny Sinkin; and 3 granddaughters and 3 great grandchildren.

A letter of condolence is to be sent to the family of Simon E. Esparza, Jr. expressing to them the sympathy of the court on the loss of their loved one. He was a member of Our Lady of Perpetual Help Church, Knights of Columbus-Council #14190 and on the staff of the Religious Education Program. He was an avid golfer and a member of the "Oso Negro Golf Club" and truly enjoyed the companionship of his friends. He graduated from Fox Tech High School in 1955 and as a young man, was a member of the Flamingo Social Club. His career in the printing industry began when he was sixteen working with his mentor, J.B. Sagor, who helped shape the future of his long time printing career leading to a position of co-ownership and vice-president of Professional Business Forms for thirty-years. He retired after forty-four years in the printing business. He is survived by his wife Rose Ramirez Esparza; daughter, Liz Huizar; son Simon J. Esparza III; 6 grandchildren and 1 great granddaughter.

A letter of condolence is to be sent to the family of Judge Benjamin Norris Samples expressing to them the sympathy of the court on the loss of their loved one. He served the San Antonio Community as a Judge and lawyer for many years. He received his B.S. degree from Bishop College, Dallas, Texas and his law degree from St. Mary's University Law School – San Antonio Texas. He served his community as a staff attorney for the Bexar County Legal Aid Society; Chairman of San Antonio Civil Service Commission and in the private practice of law. He was the first African American to be appointed as Municipal Court Judge, City of San

Antonio; in 1980, he was the first African American Judge appointed to County Court at Law No. 5, Bexar County, and State of Texas and served until 1987 when he lost his county wide election of several hundred votes where he immediately started back to work in private practice until October 31, 2008. He is survived by his wife Tobortha McDowell Samples and son, Benjamin N. Samples II and a host of nieces, nephews and friends.

A letter of condolence is to be sent to the family of Joe R. Garcia expressing to them the sympathy of the court on the loss of their loved. He is survived by his wife Maria Lydia Garcia; sons, Jaime Mireles, Joe Mireles, Javier Mireles, Tony Villanueva, Ascension Villanueva and Joe Jr.; daughters, Blanca Stella Mireles, Rosario Mireles, Martha Garcia, Irene Perez, Gloria Ortega, Josie Rodriguez and Tina.

A letter of condolence is to be sent to the family of Elaine Morales expressing to them the sympathy of the court on the loss of their loved. She is survived by her husband Ruben Morales, son Ruben Lee Morales and daughter Sabrina Nicole Morales, and soon to be born first grandchild – Ryan Randy Reyna.

A letter of condolence is to be sent to the family of Rebecca R. Kinnard expressing to them the sympathy of the court on the loss of their loved one. She is survived by her sons Harold Pinkston Kinnard Jr. and Wilkes D. Kinnard and daughter Trudy D. Trevino and 8 grandchildren

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

*Fay Sinkin  
Simon E. Esparza, Jr.  
Benjamin Norris Samples  
Joe Garcia  
Elaine D. Morales  
Rebecca R. Kinnard*



**Item – 3 (a-b)**  
**March 10, 2009**  
**Commissioners Court**

The Court presented a proclamation recognizing and declaring March 19<sup>th</sup> as the 8<sup>th</sup> annual "Bexar County Women's Business Owner's Day."

**Commissioner Paul Elizondo joined the meeting at this time.**

The Court presented a proclamation to the National Women and Girls HIV/AIDS Awareness Day Planning Committee, recognizing and proclaiming March 10, 2009 as "National Women and Girls HIV/AIDS Awareness Day."



**Item – 4**  
**March 10, 2009**  
**Commissioners Court**

The Court hereby ordered and approved a motion approving the Consent Agenda (items 8-56) with the exception of agenda items 33 and 56a, which will be heard separately.

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, Wolff,

Adkisson, and Judge Wolff voting “Aye”.



**Item – 8**  
**March 10, 2009**  
**Commissioners Court**

The Court hereby ordered and approved a motion approving the re-appointment of Tommy Adkisson, County Commissioner Precinct 4, to the Austin-San Antonio Intermunicipal Commuter Rail District board for a two-year term to begin upon appointment and to expire on February 1, 2011. (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, Wolff, Adkisson, and Judge Wolff voting “Aye”.



**Item – 9**  
**March 10, 2009**  
**Commissioners Court**

The Court hereby ordered and approved a motion approving a resolution to appoint Commissioner Kevin A. Wolff to the Bexar County Industrial Development Corporation to begin January 1, 2009 and expire December 31, 2012 and confirming the existing appointments of the other four directors. (Record-resolution to be filed later)

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



**Item – 10**  
**March 10, 2009**  
**Commissioners Court**

The Court hereby ordered and approved a motion approving a request from County Judge Nelson Wolff to appoint Ernest Leal to fill the unexpired term of Perla Villalpando on the Housing Authority of Bexar County to begin upon appointment and expire on August 31, 2009. (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, Wolff, Adkisson, and Judge Wolff voting “Aye”.



**Item – 11**  
**March 10, 2009**  
**Commissioners Court**

The Court hereby ordered and approved a motion approving a request from County Judge Nelson Wolff to appoint Edmund M. Keely on the City/County Joint Commission on Elderly Affairs for a term to begin upon approval and expire on September 30, 2010. (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, Wolff,

Adkisson, and Judge Wolff voting “Aye”.



**Item – 12**  
**March 10, 2009**  
**Commissioners Court**

The Court hereby ordered and approved a motion approving a request from Commissioner Kevin A. Wolff, Precinct 3, to appoint Rachelle A. Gardner to replace the unexpired of James Callaway to the Cibolo Canyons Special Improvement District to serve a term beginning upon appointment and to expire on June 1, 2010. (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, Wolff, Adkisson, and Judge Wolff voting “Aye”.



**Item – 13**  
**March 10, 2009**  
**Commissioners Court**

The Court hereby ordered and approved a motion approving a request from Commissioner Kevin A. Wolff, Precinct 3, to re-appoint Charles Laljer and Jack Huber to a term beginning upon appointment and expiring on January 1, 2011 to the Bexar County Emergency Services District Number 4. (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, Wolff, Adkisson, and Judge Wolff voting “Aye”.



**Item – 14**  
**March 10, 2009**  
**Commissioners Court**

The Court hereby ordered and approved a motion approving a request from Commissioner Kevin A. Wolff, to re-appoint Charles Cult, Linda Reeves, Luis Dellert to terms expiring on December 31, 2010, and to re-appoint Anthony Ludolph and John Hooper to terms expire on December 31, 2011, as Emergency Services District Commissioner for Bexar County Emergency Services District Number 8. (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, Wolff, Adkisson, and Judge Wolff voting “Aye”.



**Item – 15**  
**March 10, 2009**  
**Sheriff’s Office**

The Court hereby ordered and approved a motion ratifying a grant submission, and approving a resolution to the Texas Department of Transportation (TxDOT) for a project entitled "Speed and Occupant Protection 2009-2010 Project" in the amount of \$205,643.57 with an in-kind match of \$22,853.81, totaling \$228,497.38, and acceptance of funds, if awarded. The term of the grant is from October 1, 2009 to September 30, 2010. (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, Wolff, Adkisson, and Judge Wolff voting "Aye".



**Item – 16**  
**March 10, 2009**  
**Sheriff's Office**

The Court hereby ordered and approved a motion approving a request from the Sheriff's Office to accept a trained canine "Labrador Retriever" for the Sheriff's K-9 Unit donation by the Bandera County Sheriff's Office. (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, Wolff, Adkisson, and Judge Wolff voting "Aye".



**Item – 17**  
**March 10, 2009**  
**Sheriff's Office**

The Court hereby ordered and approved a motion approving a request from the Sheriff's Office to accept trained canines from the Lackland Air Force Base "Military Working Dog Program." (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, Wolff, Adkisson, and Judge Wolff voting "Aye".



**Item – 18**  
**March 10, 2009**  
**Tax Assessor-Collector**

The Court hereby ordered and approved a motion approving a Lease Agreement between Bexar County and the Texas Department of Transportation for an additional leased Remote Sticker Printing System (RSPS) unit to be used by dealership in their performance of titling and registration processes, on an as needed basis with no fiscal impact to the County. (Record-agreement to be filed later)

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



**Item – 19**  
**March 10, 2009**  
**County Auditor**

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

\$ 2,844,811.18 (Checks printed February 25, 2009)  
\$14,165,311.96 (Checks printed February 27, 2009)  
\$ 2,165,680.52 (Checks printed March 04, 2009)  
\$ 4,045,798.85 (Checks printed March 06, 2009)

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, Wolff, Adkisson, and Judge Wolff voting "Aye".



**Item – 20**  
**March 10, 2009**  
**County Auditor**

The Court hereby ordered and approved a motion authorizing the County Auditor to pay bills through Friday March 20, 2009. The list of bills paid will be presented to Court on March 24, 2009. (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, Wolff, Adkisson, and Judge Wolff voting "Aye".



**Item – 21**  
**March 10, 2009**  
**County Auditor**

The Court hereby ordered and approved a motion approving the payment of payrolls, including overtime, and auto allowances to be paid Friday, March 13, 2009. (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, Wolff, Adkisson, and Judge Wolff voting "Aye".



**Item – 22**  
**March 10, 2009**  
**County Auditor**

The Court hereby ordered and approved a motion accepting an 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 as of the month ending February 28, 2009. (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, Wolff, Adkisson, and Judge Wolff voting "Aye".



**Item – 23**  
**March 10, 2009**  
**County Auditor**

The Court hereby ordered and approved a motion approving the certification of additional revenue into the Bexar County Sheriff's Federal Asset Forfeiture Funds- 710 of \$42,498 and the Bexar County Sheriff's State Asset Forfeiture Fund – 860 of \$279,947. (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, Wolff, Adkisson, and Judge Wolff voting "Aye".



**Item – 24**  
**March 10, 2009**  
**County Auditor**

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

<u>Name</u>	<u>Account No.</u>	<u>Amount</u>
M7 Aerospace LP	08644 000 0494	\$ 7,143.17
M7 Aerospace LP	08644 000 0492	\$14,549.45

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, Wolff, Adkisson, and Judge Wolff voting "Aye".



**Item – 25**  
**March 10, 2009**  
**Purchasing Department**

The Court hereby ordered and approved a motion awarding a contract to lowest and best bid submitted by McCombs HFC LTD for \$25,000, Jordon Ford, Incorporated for \$25,000, Poquito Mas Enterprises LLC for \$25,000 and Full Services Auto for \$25,000 on Subparts A and B; Jeka dba Mr. Transmission for \$69,000 and Mitson Auto Incorporated dba Aamco for \$79,000 on Subpart C to provide for the purchase of miscellaneous automotive parts and services on a requirements contract basis for a one year period beginning March 10, 2009 and ending February 28, 2010 for a combined estimated amount of \$248,000 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 Tommy Adkisson, duly seconded by County Commissioner Paul Elizondo, which motion was voted on as follows: Commissioners Elizondo, Wolff, Adkisson, and Judge Wolff voting "Aye".



**Item – 26**  
**March 10, 2009**  
**Purchasing Department**

The Court hereby ordered and approved a motion awarding the renewal of a contract with Nardis Public Safety to

provide for the purchase of concealable body armor for Bexar County law enforcement personnel on a requirements contract basis for a one-year period beginning August 1, 2008 and ending July 31, 2009 under the same terms, conditions and prices for an estimated amount of \$200,000 as requested by the Bexar County Sheriff'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 Paul Elizondo, which motion was voted on as follows: Commissioners Elizondo, Wolff, Adkisson, and Judge Wolff voting "Aye".



**Item – 27**

**March 10, 2009**

**Purchasing Department**

The Court hereby ordered and approved a motion awarding the renewal of a contract with CGI Technologies and Solutions, Inc. to provide for the purchase of maintenance services for the automated financial management system for a one-year period beginning January 1, 2009 and ending December 31, 2009 under the same terms and conditions, and pricing for a total amount of \$135,027 as requested by Bexar County Information 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 Tommy Adkisson, duly seconded by County Commissioner Paul Elizondo, which motion was voted on as follows: Commissioners Elizondo, Wolff, Adkisson, and Judge Wolff voting "Aye".



**Item – 28**

**March 10, 2009**

**Purchasing Department**

The Court hereby ordered and approved a motion awarding a delivery order to Honeywell Batteries/Global Technology Systems, Inc. to provide for the purchase of Single Bay Desk Top Drop-In Tri-Chemistry Chargers as requested by the Bexar County Information Services Department in the amount of \$123,750.00 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 Paul Elizondo, which motion was voted on as follows: Commissioners Elizondo, Wolff, Adkisson, and Judge Wolff voting "Aye".



**Item – 29**

**March 10, 2009**

**Purchasing Department**

The Court hereby ordered and approved a motion awarding a delivery order to PerkinElmer Life and Analytical Sciences to provide for the purchase of a Headspace Gas Chromatograph System as requested by the District Attorney in the amount of \$64,052.44; 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 Paul Elizondo, which motion was voted on as follows: Commissioners Elizondo, Wolff, Adkisson, and Judge Wolff voting “Aye”.



**Item – 30**

**March 10, 2009**

**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 Texas Electronic System Specialists, Incorporated in the amount of \$42,592.10 for the purchase of a Hirsch Security Access Control System 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 Tommy Adkisson, duly seconded by County Commissioner Paul Elizondo, which motion was voted on as follows: Commissioners Elizondo, Wolff, Adkisson, and Judge Wolff voting “Aye”.



**Item – 31**

**March 10, 2009**

**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 NEC Corporation of America beginning upon award and ending September 30, 2009, for the purchase of maintenance service for the automated fingerprint identification system (AFIS) as requested by the Bexar County Sheriff’s Office in the amount of \$134,232.00 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 Paul Elizondo, which motion was voted on as follows: Commissioners Elizondo, Wolff, Adkisson, and Judge Wolff voting “Aye”.



**Item – 32**

**March 10, 2009**

**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 Derby Industries for the purchase of 450 mattresses with pillow as requested by the Bexar County Sheriff’s Office in the amount of \$45,500.00 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 Paul Elizondo, which motion was voted on as follows: Commissioners Elizondo, Wolff, Adkisson, and Judge Wolff voting “Aye”.



**Item – 34**

**March 10, 2009**

**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 sale by auction of the following five vehicles in accordance with the following vehicle equipment list, as requested by Bexar County Juvenile Probation Department. (Record)

<u>Make &amp; Model</u>	<u>Year</u>	<u>Vin Number</u>
Dodge Van	2001	2B5WB35Z01K535948
Ford Crown Victoria	2003	2FAFP71W73X111772
Ford E-350 Van	2003	1FBSS31L43HB22268
Chevrolet 3500 Van	2004	1GAHG39U641206860
Ford Explorer XLT	2000	1FMZU62X2YZC06626

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, Wolff, Adkisson, and Judge Wolff voting “Aye”.



**Item – 35**

**March 10, 2009**

**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 sale by auction of one 2003 Dodge 3500 Cargo Van in accordance with the vehicle equipment list, as requested by the Bexar County Planning and Resource Management Department. (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, Wolff, Adkisson, and Judge Wolff voting “Aye”.



**Item – 36**

**March 10, 2009**

**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 sale by auction of one 1993 Ford Aerostar XL Van in accordance with the vehicle equipment list, as requested by the Bexar County District Attorney. (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, Wolff, Adkisson, and Judge Wolff voting “Aye”.



**Item – 37**  
**March 10, 2009**  
**Infrastructure Services**

The Court hereby ordered and approved a motion authorizing approval of an agreement for Furnishing and Installing of Traffic Signal Equipment by a Municipality between Bexar County and the City of San Antonio for furnishing, installing and inspecting traffic signal equipment in the amount not to exceed \$340,030 related to the County Pass Thru Project BC 2008-081, Culebra Road Improvements (FM 3487) Project. (Record-agreement to be filed later)

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



**Item – 38**  
**March 10, 2009**  
**Infrastructure Services**

The Court hereby ordered and approved a motion authorizing approval of a two year lease amendment between Bexar County, Texas and Shopper’s City, LLC, for 5,477 square feet of rentable office space located at 660 S.W. Military Drive, Suite X, at a rate of \$6,079.47 per month, for the continued operation of the Southside Tax Office. Precinct Number 1 (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, Wolff, Adkisson, and Judge Wolff voting “Aye”.



**Item – 39**  
**March 10, 2009**  
**Infrastructure Services**

The Court hereby ordered and approved a motion authorizing approval of the First Amendment to the Engineering Services Agreement between Bexar County and Poznecki-Camarillo and Associates, Inc. that raises the total not to exceed compensation amount to \$568,601.53 for professional civil engineering design services, this amount includes \$146,357.64 for additional services related to the Shepherd Road at Elm Creek & Black Hill Branch, (Flood Control Division MR-8), BC 2008-123. Precinct Number 1 (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, Wolff, Adkisson, and Judge Wolff voting “Aye”.



**Item – 40**  
**March 10, 2009**  
**Infrastructure Services**

The Court hereby ordered and approved a motion authorizing execution of the Interlocal Agreement between Bexar County and San Antonio Water System for the Comal Street Reconstruction Project, BC 2007-080 in the amount of \$110,000. Precinct Number 2 (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, Wolff, Adkisson, and Judge Wolff voting “Aye”.



**Item – 41**

**March 10, 2009**

**Infrastructure Services**

The Court hereby ordered and approved a motion authorizing the County Judge to execute Change Order Number 4 to the contract between Bexar County and Kunz Construction, in the amount of \$42,684 for the Main Plaza Project BC 2008-150. (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, Wolff, Adkisson, and Judge Wolff voting “Aye”.



**Item – 42**

**March 10, 2009**

**Infrastructure Services**

The Court hereby ordered and approved a motion authorizing the County Judge to execute Change Order Number 5 to the contract between Bexar County and Kunz Construction for the Main Plaza Project BC 2008-150, authorizing the release of 50% in the amount of \$63,953 of retainage to the Contractor. (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, Wolff, Adkisson, and Judge Wolff voting “Aye”.



**Item – 43**

**March 10, 2009**

**Infrastructure Services**

The Court hereby ordered and approved a motion authorizing the County Judge to execute Field Alteration SAWS Number 3 to the contract between Bexar County and E.E. Hood and Sons, in connection with Culebra Road (FM 3487) Reconstruction Project, BC 2008-047 increasing the contract amount by \$54,739.86 to be paid by SAWS at no cost to Bexar County. Precinct Numbers 1 and 2 (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, Wolff, Adkisson, and Judge Wolff voting “Aye”.



**Item – 44**  
**March 10, 2009**  
**Infrastructure Services**

The Court hereby ordered and approved a motion authorizing the County Judge to execute Field Alteration CPS Number 3 to the contract between Bexar County and Capital Excavation, in connection with the Blanco Road (FM 2696) Reconstruction Project, BC 2008-046 increasing the contract amount by \$6,772.59 to be paid by CPS. Precinct Number 3 (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, Wolff, Adkisson, and Judge Wolff voting “Aye”.



**Item – 45**  
**March 10, 2009**  
**Infrastructure Services**

The Court hereby ordered and approved a motion authorizing the County Judge to execute Field Alteration Number 4 to the contract between Bexar County and Capital Excavation in connection with the Blanco Road (FM 2696) Reconstruction Project, BC 2008-046 increasing the contract amount by \$57,090.83. Precinct Number 3 (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, Wolff, Adkisson, and Judge Wolff voting “Aye”.



**Item – 46**  
**March 10, 2009**  
**Infrastructure Services/Public Works Divison**

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 establishing Potranco West High School, owner: Northside Independent School District, located southeast of Wiseman Boulevard and Cottonwood Way, not within the Edwards Aquifer Recharge Zone. Precinct Number 1

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, Wolff, Adkisson, and Judge Wolff voting “Aye”.



**Item – 47**  
**March 10, 2009**  
**Community Investment**

The Court hereby ordered and approved a motion approving the \$750,000 contract with the Center for Health Care Services for the establishment of a Public Safety Triage and Detoxification program for the period October 1, 2008 through September 30, 2009. (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, Wolff, Adkisson, and Judge Wolff voting “Aye”.



**Item – 48**

**March 10, 2009**

**Community Investment**

The Court hereby ordered and approved a motion approving a personal service contract in the amount of \$12,837.20 with Herlinda Zamora MSN for development of the required Quality Management program for the Ryan White program. (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, Wolff, Adkisson, and Judge Wolff voting “Aye”.



**Item – 49**

**March 10, 2009**

**Community Investment**

The Court hereby ordered and approved a motion approving a personal service contract in the amount of \$12,538 with Dr. Norma Martinez Rogers for development of the required Quality Management program for the Ryan White program. (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, Wolff, Adkisson, and Judge Wolff voting “Aye”.



**Item – 50**

**March 10, 2009**

**Community Investment**

The Court hereby ordered and approved a motion approving the final reprogramming of \$62,664 in HOME Administration funds and \$250,000 in HOME Program funds from the Housing Authority of Bexar County to the Bexar County Housing Rehabilitation program. (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, Wolff, Adkisson, and Judge Wolff voting “Aye”.



**Item – 51**  
**March 10, 2009**  
**Community Investment**

The Court hereby ordered and approved a motion approving execution of the Public Facility Grant Management Agreement between Bexar County and Casa Helotes Senior Citizen Center Improvement Project utilizing Program Year 2008 Community Development Block Grant (CDBG) funds in the amount of \$25,000.00. (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, Wolff, Adkisson, and Judge Wolff voting “Aye”.



**Item – 52**  
**March 10, 2009**  
**Community Investment**

The Court hereby ordered and approved a motion approving the appointment of Hon. Peter Sakai to the Bexar County Child Welfare Board for a two-year term beginning March 10, 2009 and ending March 10, 2011. (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, Wolff, Adkisson, and Judge Wolff voting “Aye”.



**Item – 53**  
**March 10, 2009**  
**Community Investment**

The Court hereby ordered and approved a motion approving the appointments of the following nominations to the Workforce Solutions-Alamo Board for the terms listed below: (Record)

<u>Name</u>	<u>Team</u>
Polly Davenport	10/01/08 to 12/31/2009
Susan Monaham	03/12/09 to 12/31/2011
Charles B. Franks	03/12/09 to 12/31/2011

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, Wolff, Adkisson, and Judge Wolff voting “Aye”.



**Item – 54**  
**March 10, 2009**  
**Planning and Resource Management**

The Court hereby ordered and approved a motion accepting the Investment Quarterly Report for the 1<sup>st</sup> Quarter of FY 2008-09 in accordance with Section 2256.023(a) of the Texas Public Funds Investment Act. (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, Wolff,

Adkisson, and Judge Wolff voting “Aye”.



**Item – 55**

**March 10, 2009**

**Planning and Resource Management**

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

<b>Office/Department</b>	<b>BT#</b>	<b>Amount</b>	<b>From</b>	<b>To</b>
Infrastructure Services	BT-09	\$336,720	Facilities Maintenance – Electric and Gas (5110) and (5129)	Energy Services (5002)
Constable & Justice of the Peace Precinct 2	BT09-50	\$33,900	Undesignated Funds (9400)	Other Supplies (6199)
Constable & Justice of the Peace Precinct 2	BT09-51	\$19,000	Appropriated Fund Balance (9450)	Other Supplies (6199)
County Buildings Capital Improvement Fund	BT09-052	\$163,298	Contingency (9410)	Building Improvement (TBD)
Adult & Juvenile Detention Facilities Fund	BT09-053	\$38,762	Medium Risk Adult Detention Center Expansion Project (5965)	Comal Street Project (5961)
Infrastructure Services	BT09-056	\$60,000	Building and Ground Repairs (4830)	Maintenance, Tools, and Supplies (6040)

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, Wolff, Adkisson, and Judge Wolff voting “Aye”.



**Item – 56b**

**March 10, 2009**

**Community Venues Program**

The Court hereby ordered and approved a motion approving the Grant and Development Agreement between Bexar County and Sports, Outdoor and Recreation Park for development and construction of a sports facility for local, regional, and state soccer competitions, and a special needs facility which Agreement designates an independent firm as General Contractor of the Project resulting in savings of Project funds. (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, Wolff, Adkisson, and Judge Wolff voting “Aye”.



**Item – 5 (a-f)**  
**March 10, 2009**  
**Commissioners Court**

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

- a. Cooperative agreement between the City of San Antonio, Texas, Bexar County, Texas, and the San Antonio River Authority to complete the River Improvement project approved January 26, 2009.
- b. Bexar County Sheriff' s Office – Revised FY09 Budget for Sheriff' s Office Federal Asset Forfeiture Fund – 710 and State Asset Forfeiture Fund – 860.
- c. Val Flores, Constable, Precinct #2 – FY 09 Budget Discretionary Fund -022, Constable 2 L.E.O.S.E. Fund 0 740, Constable 2 State Asset Forfeiture Fund and 730 Constable 2 Federal Asset Forfeiture Fund.
- d. District Courts, Bexar County, Texas – Order appointing County Auditor for two year term.
- e. Return of Citation by Personal Service in a Delinquent Tax Suit – City of Selma vs. Malcolm Lanyon.
- f. Citation directed to Bexar County – Terry S. Trotti vs Eddie Burchard.



**Item – 7**  
**March 10, 2009**  
**Commissioners Court**

The Court hereby ordered and approved a motion approving Commissioners Court minutes for Tuesday, February 24, 2009 as printed. (Record)

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



**Item – 56 a**  
**March 10, 2009**  
**Community Venues Program**

The Court hereby ordered and approved a motion correcting the date and rescinding the Grant and Development Agreement between Bexar County and Sports, Outdoor and Recreation Park (“SOAR”) approved by Bexar County Commissioners Court on November 18, 2008 for the development and construction of a sports facility for local, regional, and state soccer competitions and a special needs facility which Agreement designated SOAR as the General Contractor of the Project. (Record)

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



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



**Item – 33**  
**March 10, 2009**  
**Purchasing Department**

The Court hereby ordered and approved a motion authorizing the Purchasing Agent to advertise an Invitation for Bids to provide for the purchase of Funeral Services for Paupers under the Pauper Burial Program as requested by the Bexar County Department of Community Investment. (Record)

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



**Item – 57**  
**March 10, 2009**  
**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.



County Judge Nelson W. Wolff returned to the meeting at this time.



Commissioners Court recessed at this time. 12:25 p.m.



Commissioners Court reconvened at this time. 1:45 p.m.



Commissioner Sergio “Chico” Rodriguez joined the meeting at this time.  
Commissioners Paul Elizondo and Tommy Adkisson were not present at this time.



**Item – 58**  
**March 10, 2009**  
**Purchasing Department**

The Court hereby ordered and approved a motion awarding the extension of a contract with Aramark Correctional Services, LLC to provide Food Services at the Bexar County Correctional Facilities on a month-to-month basis for a

period not to exceed 90 days beginning April 1, 2009 and ending upon execution and commencement of a new contract agreement under the same terms, conditions and prices in the estimated amount of \$1,101,057.00 as requested by the Bexar County Sheriff's Office and Juvenile Probation Department and authorizing the Purchasing Agent to execute contract modification and file appropriate award documents for record. (Record)

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



**Item – 59**  
**March 10, 2009**  
**Purchasing Department**

The Court hereby ordered and approved a motion authorizing to proceed with developing a contract from the best ranked offer based on the County's published criteria and ranking evaluation of the proposal in the amount of \$4,104,490.00 submitted by the LD Tebben Company in response to the County's RFP for the purchase of construction services to replace the roof a the Bexar County Courthouse. (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, Wolff, and Judge Wolff voting "Aye".

Commissioner Paul Elizondo joined the meeting at this time.



**Item – 60**  
**March 10, 2009**  
**Planning and Resource Management**

Discussion was held regarding a status report on the FY 2008-09 Hiring Freeze and other budget balancing strategies. (Record)

No action was taken.

Commissioner Tommy Adkisson joined the meeting at this time.



**Item – 61**  
**March 10, 2009**  
**Community Investment**

The Court hereby ordered and approved a motion approving to pay overtime in an amount not to exceed \$30,000.00 from the Comprehensive Energy Assistance Grant Program. (Record)

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



**Item – 62**  
**March 10, 2009**  
**Government Relations**

Discussion was held regarding Bexar County’s Legislative Program for the 81<sup>st</sup> Session of the Texas Legislature. (Record)

**A motion was presented by County Commissioner Sergio “Chico” Rodriguez, duly seconded by County Commissioner Tommy Adkisson, that he is not in support of House Bill 2357 relates to municipal comprehensive plans affecting defense adjustment management authorities and House Bill 2358 relates to the powers of the board of directors of a defense adjustment management authority.**

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

**Motion carried.**

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

The Court hereby ordered and approved a motion approving a resolution supporting Legislation relation to the creation of three additional County Courts at Law in Bexar County, Texas effective September 1, 2009 or upon passage of Legislation and a resolution supporting House Bill 1689 by Representative Joaquin Castro and House Bill 1872 by Representative David Leibowitz relating to the creation of additional Judicial District Courts in Bexar County, Texas. (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, Adkisson, and Judge Wolff voting “Aye” and Commissioner Wolff voting “Nay”.

**A motion was presented by County Commissioner Paul Elizondo, duly seconded by County Commissioner Tommy Adkisson, in favor of supporting HB143 – provide local communities with the tools to assist military installations in their efforts to protect the viability of their missions and HB xxx Motion was voted on as follows: Commissioners Elizondo, Wolff, Adkisson, and Judge Wolff voting “Aye”.**



**Item – 63**  
**March 10, 2009**  
**Community Venues Program**

There was nothing to report on item 63 (Discussion and appropriate action regarding a status report on the Community Venues Programs listed below) at this time.



**Item – 64**  
**March 10, 2009**  
**District Attorney’s Office**

The Court hereby ordered and approved a motion approving a professional services agreement with the law firm of Cox Smith Matthews Incorporated and attorney, Renee F. McElhaney. (Record-agreement to be filed)

later)

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

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



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 Avery Walker v. Ralph Lopez, et al.; 2006-GC-Class 3; 164;
  - ii Darryl Williams v. L. Torres.
  
- 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 City/County Agreement for Animal Care Services
  - ii City/County Agreement for Library Services

3:50 p.m.



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

4:05 p.m.



A motion for adjournment was presented by County Commissioner Tommy Adkisson, duly seconded by County Commissioner Paul Elizondo, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Wolff, 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 Fay Sinkin, Simon E. Esparza, Jr., Benjamin Norris Samples, Joe R. Garcia, Elaine D. Morales, and Rebecca R. Kinnard* until Tuesday, March 24, 2009 at 11:00 a.m.

4:05 P.M.

NELSON W. WOLFF, COUNTY JUDGE  
BEXAR COUNTY, TEXAS

ATTEST: GERARD RICKHOFF  
COUNTY CLERK  
BEXAR COUNTY, TEXAS

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