

Orders of Commissioners Court
Bexar County, Texas

WEDNESDAY, OCTOBER 7, 2009

Court met at 11:25 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 Wednesday, October 7, 2009.

Present at roll call:

Nelson W. Wolff, County Judge;
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);
David Marquez, Executive Director of Economic Development;
Joe Aceves, Executive Director - Infrastructure Services Department;
David Marquez, Interim 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:

John Barrett, Assist. Pastor at Christ Episcopal Church gave the invocation at today's meeting. County Judge Nelson W. Wolff led the Pledge of Allegiance.



A letter of condolence is to be sent to the family of Margaret Mary Adams expressing to them the sympathy of the Court on the loss of their loved one. She was a graduate of Providence High School class of 1965. She also attended San Antonio College and the University of Mexico. She is survived by her brother, Robert F. Adams Jr., nephews, nieces and friends.

A letter of condolence is to be sent to the family of David Spahn expressing to them the sympathy of the court on the loss of their loved one. He was a graduate of St. Gerard High School and retired 34 years with City Public Service. He is survived by his daughter, Crystal Rodriguez and 4 grandchildren.

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

*Margaret Mary Adams
David Spahn*



Item – 3 (a-d)
October 7, 2009
Commissioners Court

The Court presented a proclamation recognizing and proclaiming October 4, 2009 through October 10, 2009, as “Mental Illness Awareness Week.”

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

The Court presented a Proclamation recognizing and proclaiming the month of October as “Czech Heritage Month.”

The Court presented a proclamation to the National Latino AIDS Awareness Day Committee, recognizing and proclaiming October 15, 2009 as “National Latino AIDS Awareness Day.”

The Court presented a proclamation to Texas AgriLife Extension Service recognizing and proclaiming October 4, 2009 through October 10, 2009 as “National 4-H Week.”



Item – 4a
October 7, 2009
County Clerk’s Office

Presentation by Gene Terry TAC Director of Operations and Victor Uvalle regarding a Special Presentation of a 2009 Texas Association of Counties Leadership Foundation County Best Practice Award to Bexar County Clerk Gerard C. Rickhoff and former Bexar County GIS Manager Colby Free, as well as the Bexar County Clerk’s Office Recordings Section and the Bexar County Information Services GIS Department recognizing the accomplishments for innovation in technology regarding its foreclosure map website to Bexar County. (Record)



Item – 4b
October 7, 2009
Planning and Resource Management

A Special Presentation by Bob Hample regarding employee health and wellness, including Bexar County Flu Response Plan for seasonal and H1N1 flu; Annual Enrollment for 2010 Employee Medical and Voluntary Benefit Plans; and Annual Employee Health Fair. (Record)



Item – 5
October 7, 2009
Commissioners Court

The Court hereby ordered and approved a motion approving the Consent Agenda (items 9-53) with the exception of items 9, and 11, which will be heard separately.

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



Item – 10
October 7, 2009
Sheriff’s Office

The Court hereby ordered and approved a motion approving the renewal of the Interlocal Agreement and a resolution between Bexar County and the City of San Antonio (CITY) for participation in the City of San Antonio Multi-Agency Auto Theft Partnership entitled Regional Auto Crimes Team (ReACT), funded by the Automobile Burglary and Theft Prevention Authority (ABTPA) in the amount of \$161,758, with an in-kind match of \$159,501, the term beginning September 1, 2009 and expiring August 31, 2010. (Record-agreement to be filed at later date)

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



Item – 12
October 7, 2009
Civil District Courts

The Court hereby ordered and approved a motion approving the revival, extension and amendment to a professional services contract between Bexar County and The University of Texas Health Science Center at San Antonio, for and on behalf of the services of Brigitte Bailey, M.D., for the time period of September 30, 2007 through December 31, 2009, with expenditures to be paid with approved monies from a Substance Abuse and Mental Health Services Administration (SAMHSA) grant #6 H79 TI17494-01-1 and an Hidalgo Foundation grant, and with no County expenditures, to provide evaluation of the Family Drug Treatment Court as required by the Hidalgo Foundation and Substance Abuse and Mental Health Services Administration grants. (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, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 13
October 7, 2009
County Auditor

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

- \$ 16,264,165.12 (Checks printed September 16, 2009)
- \$ 2,887,763.08 (Checks printed September 18, 2009)
- \$ 3,524,612.88 (Checks printed September 23, 2009)
- \$ 2,533,029.77 (Checks printed September 25, 2009)

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



Item – 14
October 7, 2009
County Auditor

The Court hereby ordered and approved a motion approving the disbursement of payroll, including overtime, and auto allowances to be paid Thursday, October 15, 2009. (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, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 15
October 7, 2009
County Auditor

The Court hereby ordered and approved a motion authorizing the County Auditor to pay routine bills through Friday, October 16, 2009. The list of bills paid will be presented to the Court on October 20, 2009. (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, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 16
October 7, 2009
County Auditor

The Court hereby ordered and approved a motion approving the Tax Refunds for Paid In Error Requests totaling \$91,531.94, which have been reviewed by the Auditor’s Office and found to be valid. (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, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 17
October 7, 2009
County Auditor

The Court hereby ordered and approved a motion approving the certification of an additional \$52,500.00 in revenue into the General Fund from the Texas Comptroller’s Judiciary Section for District Court’s witness reimbursement based on Local Government Code 111.0107 and 111.0108. (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, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 18
October 7, 2009
County Auditor

The Court hereby ordered and approved a motion approving the certification of additional revenue into the Bexar County District Clerk’s District Court Records Technology Fund - 033 of \$175,000 based on Local Government Code 111.0108. (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, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 19

October 7, 2009
Juvenile Probation

The Court hereby ordered and approved a motion approving the Contract for Services #10-C0023 between the Office of the Attorney General of the State of Texas and Bexar County in the amount of \$1,913,364 over a 4-year period that continues the existing arrangement whereby Bexar County is paid for community supervision services provided by the Juvenile Probation Department on Title IV-D cases for the purpose of enforcement of child support and medical support orders. (Record-contract to be filed at later date)

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



Item – 20
October 7, 2009
Purchasing Department

The Court hereby ordered and approved a motion awarding a contract to the lowest and best bid submitted by Performance Food Group on Categories 2, 3, 4, 6, 7, 8 and 11 to provide for the purchase and delivery of Food Items on a requirements contract basis for a six-month period beginning upon award and ending March 31, 2010 for an estimated amount of \$231,000 as requested by the Bexar County Community Supervision and Corrections Department; and authorizing the Purchasing Agent to execute and file the appropriate award documents for the record. (Record)

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



Item – 21
October 7, 2009
Purchasing Department

The Court hereby ordered and approved a motion awarding a contract to the lowest and best bid submitted by Loomis U.S., Inc. to provide for the purchase of Armored Car Service for Bexar County Departments and Offices for one-year beginning upon award and ending September 30, 2010 for an estimated amount of \$93,000 as requested by the Bexar County Clerk’s Office, Tax Assessor-Collector’s Office, Criminal District Attorney’s Office, Justice Courts and Constable’s Offices in Precinct 1 through 4, and Community Supervision and Corrections Department; and authorizing the Purchasing Agent to execute and file the appropriate award documents for the record. (Record)

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



Item – 22
October 7, 2009

Purchasing Department

The Court hereby ordered and approved a motion awarding the renewal of a contract with Hospital Klean of Texas, Inc. to provide for the purchase of Custodial Services for various Bexar County facilities for a one-year period beginning November 1, 2009 and ending October 31, 2010 under the same terms and conditions in the amount of \$766,917.36 as requested by 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 Sergio “Chico” Rodriguez, duly seconded by County Commissioner Tommy Adkisson, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 23

October 7, 2009

Purchasing Department

The Court hereby ordered and approved a motion awarding a delivery order to CAS Companies, Inc. for the purchase of construction services to renovate the Bexar County Medical Health Unit as requested by the Bexar County Infrastructure Services Department in the amount of \$290,000.00 and authorizing the Purchasing Agent to execute and file the appropriate award documents for record including appropriate budgetary transfer. (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, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 24

October 7, 2009

Purchasing Department

The Court hereby ordered and approved a motion awarding a delivery order to Sam Pack’s Five Star Ford for the purchase of one truck as requested by the Bexar County Fire Marshal and Emergency Management Office in the amount of \$69,991.00 and authorizing the Purchasing Agent to execute and file the appropriate award documents for the record. (Record)

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



Item – 25

October 7, 2009

Purchasing Department

The Court hereby ordered and approved a motion amending Commissioners Court action taken on April 7, 2009 by removing seven surplus weapons from the list scheduled for sale by trade-in and adding seven weapons with dissimilar serial numbers in accordance with the attached Surplus Weapons Sale List; ratifying action taken by the Bexar County Sheriff’s Deputies to (i) sell six surplus weapons to six Sheriff’s Deputies, and (ii) retain one surplus weapon; authorizing the sale by trade-in seven surplus weapons with dissimilar serial numbers. (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, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 26
October 7, 2009
Economic Development

The Court hereby ordered and approved a motion approving the First Amendment to the Order Creating Espada Special Improvement District Number 1. (Record)

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



Item – 27
October 7, 2009
Economic Development

The Court hereby ordered and approved a motion approving the First Amendment to the Order Creating Espada Special Improvement District Number 2. (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, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 28
October 7, 2009
Economic Development

The Court hereby ordered and approved a motion approving the First Amendment to the Order Creating Espada Special Improvement District Number 3. (Record)

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



Item – 29
October 7, 2009
Economic Development

The Court hereby ordered and approved a motion approving a request from Commissioner Tommy Adkisson, Precinct 4 to reappoint Melvin F. Golla and Steve White to the Sedona Tax Increment Reinvestment Zone (TIRZ) Board for terms to begin upon appointment and expire September 30, 2011. (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, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 30
October 7, 2009
Information Services

The Court hereby ordered and approved a motion authorizing the County Judge to sign agreement(s) between Bexar County and The Heston Law Firm and The Law Office of Magdalena Gonzales for the purpose of allowing access to the Bexar County Public Information Network for records limited to information obtainable by the public under the provisions of Rule 12 of the Rules of Judicial Administration. (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, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 31
October 7, 2009
Infrastructure Services

The Court hereby ordered and approved a motion authorizing approval of the Interlocal Agreement between Bexar County and Bexar Metropolitan Water District (Bexar Met) for Bexar County’s Heritage Park Phase II Street Reconstruction Project in the amount of \$1,132,949.41. Precinct Number 1 (Record)

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



Item – 32
October 7, 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 Pape-Dawson Engineers, Inc. for Right-of-Way Acquisition Services in the amount of \$150,000, making the total contract amount not to exceed \$300,000 for both Galm and Boerne Stage Road projects BC 2009-197. Precincts Number 2 and 3 (Record)

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



Item – 33
October 7, 2009
Infrastructure Services

The Court hereby ordered and approved a motion authorizing approval for a Construction and Maintenance Agreement between the State of Texas and the County of Bexar for the Construction of Highway Improvements within the Right-of-Way of US 281 at Bulverde Road. Precinct Number 3 (Record-agreement to be filed at late date)

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



Item – 34
October 7, 2009
Infrastructure Services

The Court hereby ordered and approved a motion authorizing approval of the Final Recapitulation of Project Costs between Bexar County and E.E. Hood and Sons, Inc., in connection with the Braun Road Reconstruction Project, BC 2007-75. The recap shows a decrease of \$144,720.73 which includes the total roadway and utility amounts; final construction amount (including utilities) \$6,311,884.47. Precinct Number 2 (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, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 35
October 7, 2009
Infrastructure Services/Public Works Division

The Court hereby ordered and approved a motion authorizing the purchase of right of way, being 0.006 acres of land known as Parcel 19, Galm Road, located in northwest Bexar County from Marvin Steubing and Barbara Steubing for total consideration of \$1,050.00. Precinct Number 2 (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, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 36
October 7, 2009
Infrastructure Services/Public Works Division

The Court hereby ordered and approved a motion authorizing the purchase of Real Property, located at 7414 Nickle Street from Carol Blakely aka Carol J. Blakely, Owner, for a total consideration of \$109,000.00, Hausman Road Drainage Project Phase I, LC9, Flood Control Capital Project. Precinct Number 3 (Record)

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



Item – 37
October 7, 2009
Infrastructure Services/Public Works Division

The Court hereby ordered and approved a motion authorizing the purchase of Real Property, located at 7410 Nickle Street from Carol J. Blakely aka Carol Blakely, Owner, for a total consideration of \$100,000.00, Hausman Road Drainage Project Phase I, LC9, Flood Control Capital Project. Precinct Number 3 (Record)

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



Item – 38

October 7, 2009

Infrastructure Services/Public Works Division

The Court hereby ordered and approved a motion authorizing the purchase of Real Property located at 13403 Babcock Road from Ray Sherwood, Owner, for a total consideration of \$80,000.00, Hausman Road Drainage Project Phase I, LC9, Flood Control Capital Project. Precinct Number 3 (Record)

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



Item – 39

October 7, 2009

Infrastructure Services/Public Works Division

The Court hereby ordered and approved a motion authorizing the purchase of right of way, being 0.170 acres of land known as Parcel 89, Borgfeld Drive, Phase II, located in north central Bexar County from Robert J. Scofield, Jr. and Kathleen A. Scofield for total consideration of \$35,000.00. Precinct Number 3 (Record)

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



Item – 40

October 7, 2009

Infrastructure Services

The Court hereby ordered and approved a motion authorizing the County Judge to execute Change Order Number 11 in the amount of \$324,315.19 to the construction contract between Bexar County and Journeyman Construction Inc., in connection with the Bexar County Juvenile Campus Project BC 2007-362. (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, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 41

October 7, 2009

Infrastructure Services

The Court hereby ordered and approved a motion authorizing the County Judge to execute Change Order Number 2,

in the amount of \$22,998.00 to the construction contract between Bexar County and Pugh Constructors, Inc., in connection with the Vista Verde Building Exterior Repair Project. (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, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 42
October 7, 2009
Infrastructure Services

The Court hereby ordered and approved a motion authorizing the County Judge to execute Bexar Met Field Alteration Number 1 for the contract between Bexar County and Capital Excavation, in connection with the Blanco Road (FM 2696) Reconstruction Project, BC 2008-173 decreasing the contract amount by \$146,149.00. Precinct Number 3 (Record)

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



Item – 43
October 7, 2009
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 October 7, 2009: (Record)

<u>Subdivision</u>	<u>Street/Drain</u>
Westwinds, Unit 10A Plat # 060583 (Precinct Number 1)	Lone Star Parkway (North and South bound lanes) 4,262.38 lf. From Alamo Ranch Pkwy. matching existing pavement, south to end with barricade guard posts. Sub grade: Tan Clayee, gravel. Base: 20.5” Flex base, 11” Black base from station 54+59.85 to station 54+94.86. Asphalt: 2” Type “D”
Westwinds, Unit 10A Plat #060583 (Precinct Number 1)	Drain “A” (115.88 lf) Drain “B” (88.17 lf) Drain “C” (141.50 lf) Drain “D” (219.86 lf)

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



Item – 44
October 7, 2009

Infrastructure Services/Public Works Division

The Court hereby ordered and approved a motion authorizing approval to rename a private road, Moreno Street, to Agua Pura 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 1 (Record)

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



Item – 45

October 7, 2009

Infrastructure Services/Public Works Division

The Court hereby ordered and approved a motion authorizing temporary closure of County maintained sections of 6th Street between Ladd Road and Aliann Road and Ladd between Aliann and 6th Street on Sunday, October 11, 2009 from 9:00 a.m. until 7:30 p.m., Street closure is requested by Our Lady Queen of Heaven Catholic Church. Precinct Number 1 (Record)

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



Item – 46

October 7, 2009

Infrastructure Services

The Court hereby ordered and approved a motion approving a request from the Infrastructure Services Department authorizing the County Auditor to pay \$5,408.37 in various invoices for miscellaneous supplies and services. (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, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 47

October 7, 2009

Community Resources

The Court hereby ordered and approved a motion approving the creation of one (1) Office Assistant IV grant funded position for the Community Development Block Grant (CDBG) to be effective September 24, 2009 and five (5) additional grant funded positions to be effective October 7, 2009 for the Department of Community Resources.

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



Item – 48

October 7, 2009

Community Resources

The Court hereby ordered and approved a motion approving a contract with Victoria City-County Health Department in the amount of \$75,364 for services funded by Part B State Services (SS) grant funds for the contract period beginning September 1, 2009 through August 31, 2010. (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, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 49

October 7, 2009

Community Resources

The Court hereby ordered and approved a motion authorizing approval to apply for and accept funding, if awarded, from the Texas Task Force on Indigent Defense, 2010 Formula Grant Program in the estimated amount of \$711,711 to assist in paying Bexar County’s increased indigent defense costs for the period of October 1, 2009 through September 30, 2010 and approving the associated resolution authorizing the grant request, responsibility for the appropriate expenditure of funds, and authorizing the Senior Grant Analyst to digitally sign the application for the County Judge. (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, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 50

October 7, 2009

Community Resources

The Court hereby ordered and approved a motion approving the appointments of Rachel Gonzalez and Paul Kelliher to the San Antonio Area HIV Health Services Planning Council for the positions of Part C Provider and Outlying HSDA Representative, respectively. Rachel Gonzalez will be filling the unexpired term of Rhonda Stewart to begin upon appointment and expire on February 28, 2010 and Paul Kelliher’s term will begin upon appointment and

expire on February 28, 2011. (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, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 51

October 7, 2009

Planning and Resource Management

The Court hereby ordered and approved a motion approving a resolution relating to establishing the County’s intention to reimburse itself for the prior lawful expenditure of funds in furtherance of acquiring, constructing, equipping, and improving public facilities related to Proposition No. 2 from the May 10, 2008 Venue Projects Election from the proceeds of Tax-Exempt Obligations to be issued by the issuer for authorized purposes; authorizing other matters incident and related thereto; and providing an effective date of October 7, 2009. (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, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 52

October 7, 2009

Planning and Resource Management

The Court hereby ordered and approved a motion approving the administrative changes to the FY 2009-10 Adopted Budget’s Technology Fund Narrative for the following three Constable offices: (Record)

<u>Office</u>	<u>Technology Funds For FY 2009-10</u>
Constable Precinct 2	\$ 5,000
Constable Precinct 3	\$75,000
Constable Precinct 4	\$25,000

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



Item – 53

October 7, 2009

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
Infrastructure Services	BT09-185	\$12,305	Appropriated Fund Balance (9450) -	Salary Regular (0110) - \$10,543; Social Security &

			\$3,949; Salary Adjustments (9302) - \$8,356	Medical (1090) - \$734; Retirement (1095) - \$998; Unemployment Insurance (1095) - \$30
County Courts-at-Law	BT09-186	\$159,367	Non-Departmental-Contingencies (9400)	Court Appointed Attorney-Misdemeanor (4222)
Criminal District Courts	BT09-187	\$670,202	Undesignated Funds (9400)	Court Appointed Attorney-Felony (4221)
Planning and Resource Management	BT09-188	\$11,717	Appropriated Fund Balance (9450)	Salary Regular (0110) \$9,954; Social Security (1090) \$761; Retirement (1095) \$985; Life Insurance (1210) \$3; Unemployment Insurance (1420) \$14.
Planning and Resource Management	BT09-189	\$185,695	Performance Pay (9300)	Salary Regular (1000) \$157,984; Social Security (1000) \$12,086; Retirement (1000) \$15,640; Life Insurance (1000) \$34; Unemployment (1000) \$221
Planning and Resource Management	BT09-191	\$618,567	Performance Pay (9300)	Salary Regular (0110) \$525,494; Social Security (1090) \$40,200; Retirement (1095) \$52,024; Life Insurance (1210) \$113; Unemployment (1420) \$736.
Planning and Resource Management	T09-192	\$370,272	Performance Pay (9300)	Salary Regular (0110) \$314,559; Social Security (1090) \$24,064; Retirement (1095) \$31,141; Life Insurance (1210) \$68; Unemployment (1420) \$440.
Planning and Resource Management	BT09-193	\$125,966	Performance Pay (9300)	Salary Regular (0110) - \$107,013; Social Security (1090) - \$8,186; Retirement (1095) \$10,594; Life Insurance (1210) - \$23; Unemployment (1420) - \$150
Planning and Resource Management	BT09-194	\$2,811,274	BCSO Pay Plan	Salary Regular (0110) - \$2,388,275; Social Security (1090) - \$182,703; Retirement (1095) - \$236,439; Life Insurance (1210) - \$513; Unemployment (1420) - \$3,344

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



Item – 9
October 7, 2009
Sheriff’ s Office

The Court hereby ordered and approved a motion approving a request from the Sheriff’ s Office to submit an electronic grant application, and approving a resolution, to the Texas Department of Transportation (TxDOT) for a program entitled Click It or Ticket (CIOT) in the amount up to \$175,000 with no County cash-match, the term of the grant is from October 1, 2009 to September 30, 2010, and acceptance of funds, if awarded. (Record-to be filed later)

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



Item – 11
October 7, 2009
Sheriff’ s Office

The Court hereby ordered and approved a motion approving a request from the Sheriff’ s Office for the County Auditor to pay \$815,816.34, for various invoices for supplies and services record including appropriate budgetary transfer. (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, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 6
October 7, 2009
Commissioners Court

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

- a. Texas Department of Agriculture Food and Nutrition Division Permanent Agreement, National School Lunch Program, School Breakfast Program, Summer Food Service Program, Child and Adult Care Food Program and Special Milk Program, approved June 23, 2009.
- b. Probate Court No. 1, Contribution Fund -017, Probate Education Fund 037, and Guardianship Fund for Court Initiated Guardianships – Fund 036 for FY 2009-10 Budget.
- c. Interlocal Cooperation Agreement with City of Schertz regarding Crescent Bend Nature Park, formerly known as Lakewood Acres County Park, approved September 1, 2009.
- d. First Amendment to Grant and Development agreement, between Bexar County, Texas and Bexar County Performing Arts Center Foundation and the City of San Antonio, Texas, approved June 23, 2009.
- e. Notice of Citation directed to Bexar County – Reg. Janis M. Modesette.

f. Notice of claim on behalf of Rashaan Sullivan from the Law Office of Manuel G. Escobar Jr.



Item – 7
October 7, 2009
Commissioners Court

Communications, including citizens who signed the registration/sign-in form to speak.

Antonio Diaz – items 7, 9 & 11
Herman Price – item 63

Rhett Smith – items 4, 6 & 7
Ernestina Green – item 63



Item – 8
October 7, 2009
Commissioners Court

The Court hereby ordered and approved a motion approving Commissioners Court minutes for Monday, September 14, 2009 and Tuesday, September 15, 2009 as printed. (Record)

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



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



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



Item – 54
October 7, 2009
District Clerk & County Clerk

The Court hereby ordered and approved a motion approving a request to set a rate of \$5 for a Court Record Preservation fee as approved by HB 3637 of the 81st Legislation effective January 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”.



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



Item – 63
October 7, 2009
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 Eastside Christian Action Group for construction and operation of a sports facility for the youth and young adults of Bexar County to be located at the City of San Antonio's Martin Luther King Park and certain adjacent land located in the Wheatley Heights neighborhood with the sports facility to include football, soccer, basketball, a running track, cross-country tract/trail and a hike and bike trail and to be financed with Bexar County venue funds in the amount of \$7,500,000.00. (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 Rodriguez, Elizondo, Wolff, Adkisson, and Judge Wolff voting "Aye".



Item – 55

October 7, 2009

Commissioners Court

Discussion was held regarding a resolution nominating one of the following individuals to serve on the Bexar Appraisal District Board of Directors for 2010-2011:

- a. Helen Dutmer
- b. Sylvia Romo

Order adopting a resolution nominating Sylvia Romo as a Candidate to be considered for Election to the Bexar Appraisal District Board of Directors for the 2-year period beginning January 1, 2010 and ending December 31, 2011.

Sylvia Romo nominated by Commissioners Paul Elizondo, Sergio "Chico" Rodriguez, and Kevin A. Wolff.

Helen Dutmer nominated by Commissioner Tommy Adkisson and County Judge Nelson W. Wolff.



Item – 56

October 7, 2009

Purchasing Department

The Court hereby ordered and approved a motion authorizing execution of a contract with Journeyman Construction, Inc. for the purchase of construction manager at risk services for the Comal Street Parking Garage in the amount of \$990,098.00; authorizing the filing of the appropriate award documents for the record. (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, Adkisson, and Judge Wolff voting "Aye".



Item – 57

October 7, 2009

Purchasing Department

The Court hereby ordered and approved a motion authorizing execution of a contract with EDAW, Inc. for the purchase of consulting services for land use study for the area surrounding Lackland Air Force Base in the amount

of \$219,300.00; authorizing the Purchasing Agent to file the appropriate award documents for the record. (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”.



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



Item – 58
October 7, 2009
Purchasing Department

The Court hereby ordered and approved a motion authorizing the Purchasing Agent to advertise a Request for Proposals (RFP) to provide for the purchase of Consulting Services for a Study of Automotive Manufacturing Zones as requested by the Bexar County Economic Development Department. (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 Rodriguez, Elizondo, Wolff, Adkisson, and Judge Wolff voting “Aye”.



County Judge Nelson W. Wolff returned to the meeting at this time.
Records are to reflect County Judge Nelson W. Wolff voting “Aye” on items 57 & 58.



Item – 59
October 7, 2009
Purchasing Department

The Court hereby ordered and approved a motion authorizing the Purchasing Agent to advertise a Request for Proposals (RFP) to provide for the purchase of Legislative Consulting Services at the State level as requested by the Government Relations Office. (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 Rodriguez, Elizondo, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 60
October 7, 2009
Infrastructure Services

The Court hereby ordered and approved a motion authorizing the County Judge to execute Amendment Number 1, to the contract between Bexar County and Murray & Associates, Inc., in the amount of \$1,383,607.00, for additional services in connection with the Adult Detention Center Air Handler Project. (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, Adkisson, and Judge Wolff voting “Aye”.



Commissioner Kevin A. Wolff left the meeting at this time.



Item – 62
October 7, 2009
Infrastructure Services

The Court hereby ordered and approved a motion authorizing the San Antonio River Authority to provide design, engineering, and construction bidding services relating to the Elmendorf Lake Improvements for a total authorization amount not to exceed \$500,000, Flood Control Project SA-45. Precinct Number 2 (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, Adkisson, and Judge Wolff voting “Aye”.



Item – 66
October 7, 2009
District Attorney

The Court hereby ordered and approved a motion finding, based on the opinion of the District Attorney’s office that discussing these matters in Open Session would have a detrimental effect on the position of the Commissioners Court in negotiations with the Deputy Sheriff’s Association. This written opinion authorizes the Commissioners Court to consider meeting in Executive Session pursuant to Section 551.0725 of the Open Meetings Act.

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, 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. Legal claims of Keith Charlton.

551.0725 –

Deliberation regarding contract being negotiated:

(Upon receipt of written authorization from the Criminal District Attorney, the Commissioners Court must vote unanimously that deliberation in an open meeting would have a detrimental effect on the position of Commissioners Court in negotiations with a third person.)

- a. Collective Bargaining negotiations with the Deputy Sheriff's Association of Bexar County under Chapter 174 of the Local Government Code.

551.072 –

Deliberation regarding real property:

- b. Lot 26, Block 120, N.C.B. 227;
- d. P-9, P-13 and P-14 in C.B. 4865; and

3:30 p.m.



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

3:55 p.m.



Item – 61

October 7, 2009

Infrastructure Services

The Court hereby ordered and approved a motion approving a Memorandum of Agreement for the settlement of a pending Condemnation Suit known as Cause #2009-ED-0016, County of Bexar v. Ed R. Elbel for the property described as a 0.612 acre permanent drainage easement and a 0.040 acre fee simple take, both being located in C.B. 4864 and 4865 and further fronting on Bulverde Road near its intersection State Highway 281 for a total consideration of \$239,000. Precinct Number 3 (Record)

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



Item – 64

October 7, 2009

District Attorney

The Court hereby ordered and approved a motion authorizing settlement of the EEOC claims filed by Keith Charlton to include a total monetary payment of \$153,500.

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, Adkisson, and Judge Wolff voting “Aye”.



A motion for adjournment 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, 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 Margaret Mary Adams and David Spahn* until Tuesday, October 20, 2009 at 11:00 a.m.

4:00 P.M.

NELSON W. WOLFF, COUNTY JUDGE
BEXAR COUNTY, TEXAS

ATTEST:

GERARD RICKHOFF, COUNTY CLERK
BEXAR COUNTY, TEXAS