

Orders of Commissioners Court
Bexar County, Texas

TUESDAY, DECEMBER 15, 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 December 15, 2009.

Present at roll call:

Nelson W. Wolff, County Judge;
Sergio "Chico" Rodriguez, County Commissioner Precinct No. 1;
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 Schweninger);
David Marquez, Executive Director of Economic Development;
Joe Aceves, Executive Director - Infrastructure Services Department;
Catherine Maras, Chief Information Officer - Information Services Department;
David Smith, Executive Director - Planning & Resource Management Department/Budget Officer;
Aurora Sanchez, Executive Director – Community Resources Department; and
Mary Salas, Interim Purchasing Agent (Rep. by John Steels).

When the following proceedings were had to-wit:

Madonna Minarich, Chief Deputy, Bexar County Sheriff's Office gave the invocation at today's meeting. County Commissioner Paul Elizondo led the Pledge of Allegiance.



A letter of condolence is to be sent to the family of Balbina Hernandez expressing to them the sympathy of the court on the loss of their loved one. She was named after her paternal grandmother, was nicknamed Barbie while in High School and was known by this name the rest of her life. She was a very active community servant who was involved in countless organizations. She was passionate about advancing women's issues and boldly carried a red purse to remind people of the disparity in pay between men and women. A single parent, she worked to be a role model for other young women facing the same challenges she faced in the late 1960's. A proud Lanier Vok, she was engaged at the school and worked to make a difference for the kids attending her alma mater. She worked for the City of San Antonio for 18 years where she had an opportunity to work for mayors, and numerous council members. At the height of her City career she worked as scheduler for Mayor Henry Cisneros. She later went on to work for Anheuser-Busch where she immediately put her vast community connections to work to advance the company brand. After working tirelessly to earn her Bachelor's Degree from the University of the Incarnate Word she set out to work for the Mexican American & Hispanic Physicians Association as Executive Director (MAHPA). She took great joy in working to make college and medical school a reality for so many kids. She is survived by her daughter, Laura Hernandez Volluz; 2 step-grandchildren; brothers, Paul R. Hernandez, Martin R. Hernandez and Juan Hernandez; sisters, Consuelo Cardenas, Maria Elena Serrano, Santa Espinoza, Antonia DeLira and Juanita Lozano; and numerous nieces and nephews.

A letter of condolence is to be sent to the family of Patrick C. Traugott Sr. expressing to them the sympathy of the court on the loss of their loved one. He is survived by his wife, Barbara Taugott; and children, Patricia Hodge, Chris Traugott, Jody Brown, Michael Taugott, Laura Gates, Pam Hester, Sharon Waite, Paula Miller, David Traugott and Patrick Traugott; 27 grandchildren and 19 great grandchildren.

A letter of condolence is to be sent to the family of Marie Antoninette Litzow Krier expressing to them the sympathy of the court on the loss of their loved one. She was very independent, personable, an avid reader (especially of English history), a life-long swimmer with a true love for the water, and a talented painter. She also enjoyed wide-ranging activities from travel to fine dining and even took up riding a motorcycle in her fifties. She is survived by her two sons, Joseph Roland Kries and Stephen Thomas Krier; 3 grandchildren and 1 great grandson.

A letter of condolence is to be sent to the family of Ignacio “Nacho” Loreda expressing to them the sympathy of the court on the loss of their loved one. He owned and operated Loreda’s Gulf Service Station and Ice House, which he co-founded in 1948 with his father and family. He proudly served his country in the U.S. Army during WWII. A man of modest means, he dedicated himself to his family. He is survived by his wife, Cora Curd Loreda; children, Edward, Rodolfo, Gilbert Rene, and Imelda Marie Loreda; and 3 grandchildren.

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

*Balbina “Barbie” Hernandez
Patrick C. Traugott Sr.
Marie Antoinette Litzow Krier
Ignacio “Nacho” Loreda*



Item – 3 (a-c)
December 15, 2009
Commissioners Court

The Court recognized the Bexar County’s community partners in distribution of funding from its Utility Assistance Program. Linda Guerra with Community Resources presented plaques of appreciation to the organizations that made it possible for Bexar County to assist 23,369 households during this very intense summer.

The Court presented a proclamation recognizing and congratulating James Ray Hildebrand for his service and dedication to Bexar County. (Record)

The Court presented an Hidalgo to Armando Diaz, Deputy Sheriff with the Bexar County Sheriff’s Office.



A motion was presented by County Commissioner Paul Elizondo, duly seconded by County Commissioner Kevin A. Wolff, to suspend the order of the day and hear agenda item 67 at this time. Motion was voted on as follows: Commissioners Rodriguez, Elizondo, Wolff, Adkisson, and Judge Wolff voting “Aye”. Motion carried and it is so ordered.



Item – 67
December 15, 2009
Sheriff’s Office

The Court hereby ordered and approved a motion approving the Sheriff’s request to compensate an appointee to one of his exempt positions over the discretionary point of Grade E-13 at a salary of \$97,428 annually, and to delete one “Deputy Chief” position and add one “Director,” with no fiscal impact to the Sheriff’s budget. (Record)

A motion was presented by County Commissioner Paul Elizondo, 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 – 4a
December 15, 2009
Special Presentation

A presentation given by Derrick Howard in recognition of Freeman Coliseum’s 60th Anniversary and service in Bexar County.

No action was taken.



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



Item – 8
December 15, 2009
Commissioners Court

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

James Clement-Waterwood Park Property Raymond McBride



Item – 5 (a-b)
December 15, 2009
Time Certain Item(s)

Commissioners Court recessed at 12:00 p.m. and the meeting of the Board of Directors, for the Bexar County Housing Finance Corporation was called to order by Commissioner Paul Elizondo, president.

Meeting adjourned at 12:15 p.m. and the meeting of the Board of Directors, for the Bexar County Health Facilities Development Corporation was called to order by Commissioner Kevin A. Wolff.

Meeting adjourned at 12:20 p.m. and Commissioners Court reconvened.



Commissioners Court recessed at this time. 12:20 p.m.



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



Item – 6
December 15, 2009
Commissioners Court

The Court hereby ordered and approved a motion approving the Consent Agenda (items 10-64) with the exception of items # 30 and 62, which will be heard separately and deferring action on item #13 for later date.

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

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Item – 10
December 15, 2009
Commissioners Court

The Court hereby ordered and approved a motion authorizing the County Judge to sign an application for Seton Home to be submitted to the Texas Department of Housing and Community Affairs for the 2010 Texas Emergency Shelter Grants Program. (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 Wolff, Adkisson, and Judge Wolff voting “Aye”.

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Item – 11
December 15, 2009
Commissioners Court

The Court hereby ordered and approved a motion authorizing the County Judge to sign a letter of support for Park South Village, Inc. application to the US Department of Housing and Urban Development Section 202 Supportive Housing for the Elderly grant. (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 Wolff, Adkisson, and Judge Wolff voting “Aye”.

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Item – 12
December 15, 2009
County Clerk’s Office

The Court hereby ordered and approved a motion ratifying a grant application that was submitted to the National Endowment for the Humanities (Renovation Project) for the grant request of \$300,000 over the course of two years for the Bexar County Records Facility Temperature Control Project for the proper preservation of Bexar County historical documents (Warehouse B); There is a 100% cash match requirement which is budgeted within the Bexar County Records Facility Fund; and approval to accept grant funding if awarded. (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 Wolff, Adkisson, and Judge Wolff voting “Aye”.

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Item – 14
December 15, 2009
District Attorney's Office

The Court hereby ordered and approved a motion authorizing execution of one (1) Title IV-E purchase voucher to be submitted to the Texas Department of Protective and Regulatory Services for reimbursement in the total amount of \$73,041.15 for legal services rendered by the Criminal District Attorney's Office from July 2009 through September 2009. (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 Wolff, Adkisson, and Judge Wolff voting "Aye".



Item – 15
December 15, 2009
Sheriff's Office

The Court hereby ordered and approved a motion approving the Sheriff's request to rehire a retired employee, as a Security Monitor at Grade NE 02, \$1,847.00 per month effective December 15, 2009. (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 Wolff, Adkisson, and Judge Wolff voting "Aye".



Item – 16
December 15, 2009
Adult Drug Court

The Court hereby ordered and approved a motion approving a professional services contract between Bexar County and the Center for Health Care Services for the time period of October 1, 2009 through September 30, 2010, with expenditures to be paid with approved monies from the Bureau of Justice Assistance grant (Grant #: 2009-DC-BX-0037), and with no County expenditures, to provide mental health treatment to the Adult Criminal Drug Court. This is a requirements contract for an amount not to exceed \$95,657 for the Center for Health Care Services. (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 Wolff, Adkisson, and Judge Wolff voting "Aye".



Item – 17
December 15, 2009
County Auditor's Office

The Court hereby ordered and approved a motion authorizing payment of election payroll and transfer funds to the Election Payroll Account for the Joint General, Special and Bond Election held on November 3, 2009. (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 Wolff, Adkisson, and Judge Wolff voting "Aye".



Item – 18
December 15, 2009
County Auditor’s Office

The Court hereby ordered and approved a motion authorizing the County Auditor to transfer \$192,928.35 from the County’s General Fund to the Contract Election Fund related to the November 2008 election for the City of San Antonio. (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 Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 19
December 15, 2009
County Auditor’s Office

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



Item – 20
December 15, 2009
County Auditor’s Office

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

- \$ 12,209,164.00 (Checks printed December 02, 2009)
- \$ 2,203,543.61 (Checks printed December 04, 2009)
- \$ 3,440,805.33 (Checks printed December 09, 2009)
- \$ 3,484,941.36 (Checks printed December 11, 2009)

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



Item – 21
December 15, 2009
County Auditor’s Office

The Court hereby ordered and approved a motion authorizing the County Auditor to pay routine bills through Wednesday December 30, 2009. The list of bills paid will be presented to the court on January 5, 2010. (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 Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 22
December 15, 2009
County Auditor’s Office

The Court hereby ordered and approved a motion approving Tax Refunds for Paid In Error Requests totaling \$63,637.95, which have been reviewed by the Auditor’s Office and found to be valid. (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 Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 23
December 15, 2009
County Auditor’s Office

The Court hereby ordered and approved a motion approving the Tax Assessor-Collector’s Report of Taxes collected in November 2009 and approving the order transferring tax collections for the month of December 2009 from unallocated receipts. (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 Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 24
December 15, 2009
County Auditor’s Office

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 November 30, 2009; and authorization to pay those employees who have accumulated hours in excess of the FLSA maximum level. (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 Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 25
December 15, 2009
Elections Department

The Court hereby ordered and approved a motion approving a request to submit a budget for the Election Department Help America Vote Act funds effective upon approval. (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 Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 26
December 15, 2009
Purchasing Department

The Court hereby ordered and approved a motion awarding the renewal of a contract with Robinson Textiles (SMWBE) in the estimated amount of \$185,967.00; ICS Waco, Inc. (SMWBE) in the estimated amount of \$270,334.00; Uniforms Manufacturing, Inc. (SMWBE) in the estimated amount of \$144,170.00; Bob Barker Company, Inc. in the estimated amount of \$194,565.00; Shoe Corporation Birmingham, Inc. (SMWBE) in the estimated amount of \$1,000; Elmar Textiles, Inc. (SMWBE) in the estimated amount of \$1,000.00; and Tabb Textiles, Co., Inc. (SMWBE) in the estimated amount of \$98,964.00 to provide for the purchase of Detainee Items on a requirements contract basis for a two-year period beginning January 1, 2010 and ending December 31, 2011 under the same pricing, terms and conditions for a combined estimated amount of \$896,000.00 as requested by the Bexar County Departments and Offices; 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 Kevin A. Wolff, which motion was voted on as follows: Commissioners Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 27
December 15, 2009
Purchasing Department

The Court hereby ordered and approved a motion awarding the renewal of a contract with AA Body Frame & Paint, Inc., (SMWBE) to provide for the purchase of automotive body repair services on a requirements contract basis for a one-year period beginning February 1, 2010 and ending January 31, 2011 under the same pricing, terms and conditions for an estimated amount of \$200,000.00 as requested by the Bexar County Infrastructure Services Department; and authorizing the Purchasing Agent to execute contract modification and file the appropriate award documents for record. This one-year renewal represents the third of four available options to renew provided for in the contract. (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 Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 28
December 15, 2009
Purchasing Department

The Court hereby ordered and approved a motion awarding the renewal of a contract with Curbside, Inc. to provide for the purchase of door-to-door hazardous waste collection on a requirements contract basis for a one-year period beginning February 1, 2010 and ending January 31, 2011 under the same pricing, terms and conditions for an estimated amount of \$58,000.00 as requested by the Bexar County Infrastructure Services Department; and authorizing the Purchasing Agent to execute contract modification and file the appropriate award documents for record. This one-year renewal represents the fourth of five available options to renew provided for in the contract. (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 Wolff, Adkisson, and Judge Wolff voting "Aye".



Item – 29
December 15, 2009
Purchasing Department

The Court hereby ordered and approved a motion awarding the extension of a requirements contract with Quest Diagnostics, Inc. to provide for the Medical Laboratory Testing Services on a month-to-month basis for a period not to exceed 180 days beginning January 1, 2010 and ending upon execution and commencement of a new contract under the same pricing, terms and conditions for an estimated amount of \$10,000.00 as requested by the Bexar County Community Supervisions & Corrections Department; and authorizing the Purchasing Agent to execute the contract modification and file the appropriate award documents for the record. (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 Wolff, Adkisson, and Judge Wolff voting "Aye".



Item – 31
December 15, 2009
Purchasing Department

The Court hereby ordered and approved a motion awarding a delivery order to Philpott Motors, Inc. to provide for the purchase of a van as requested by the Bexar County Elections Department in the amount of \$23,403.25 and authorizing the Purchasing Agent to execute and file the appropriate award documents for the record. (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 Wolff, Adkisson, and Judge Wolff voting "Aye".



Item – 32
December 15, 2009
Purchasing Department

The Court hereby ordered and approved a motion awarding a delivery order to Calence LLC for the purchase of a Digital Media System for Commissioners Court in the amount of \$226,061.27 as requested by the Bexar County Information Services Department; and authorizing the Purchasing Agent to execute contract and file appropriate award documents for the record. (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 Wolff, Adkisson, and Judge Wolff voting "Aye".



Item – 33
December 15, 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 acceptance of a 2000 Ford Pick-up Truck and the sale by auction of a surplus 1998 Chevrolet Pick-up Truck in accordance with the attached Vehicle Equipment List as requested by the Bexar County Criminal District Attorney'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 Kevin A. Wolff, which motion was voted on as follows: Commissioners Wolff, Adkisson, and Judge Wolff voting "Aye".



Item – 34
December 15, 2009
Purchasing Department

The Court hereby ordered and approved a motion authorizing the removal and sale of four firearms; one to each of four retired Deputies: Jesse Ambriz, Shirlee Spang-Filoteo, Jerry A. Peshorn and Harold Stech in the amount of \$250.00/each as requested by the Bexar County Sheriff's Office; authorizing the Purchasing Agent to update the Bexar County Inventory Records and file the appropriate documents for the record. (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 Wolff, Adkisson, and Judge Wolff voting "Aye".



Item – 35
December 15, 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 two (2) refurbished manufacture homes as requested by the Bexar County Department of Community Resources. (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 Wolff, Adkisson, and Judge Wolff voting "Aye".



Item – 36
December 15, 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 Assessment of Heating and Cooling Appliances for low-income households on a requirements contract basis for a one-year period as requested by the Bexar County Department of Community Resources. (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 Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 37
December 15, 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 Repair, Replacement or Retrofit of Heating and Cooling Appliances for low-income households on a requirements contract basis for a one-year period as requested by the Bexar County Department of Community Resources. (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 Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 38
December 15, 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 construction services for four (4) low-income households as requested by the Bexar County Department of Community Resources. (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 Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 39
December 15, 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 Pre-Sort Mail Services on a requirements contract basis for a one-year period 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 Kevin A. Wolff, which motion was voted on as follows: Commissioners Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 40
December 15, 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 Uniform Rental Services on a requirements contract basis for a three-year period as requested by the Bexar County Infrastructure Services Department. (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 Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 41
December 15, 2009
Community Resources

The Court hereby ordered and approved a motion approving the selection of McKinstry Team to complete and submit the Energy Efficiency and Conservation Block Grant Strategic Plan utilizing the County’s direct allocation of EECBG funds from the Department of Energy and authorizing permission to begin fee negotiations. (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 Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 42
December 15, 2009
Community Resources

The Court hereby ordered and approved a motion approving the Management Agreement between Bexar County and San Antonio Education Partnership for a one year period beginning October 1, 2009 and ending September 30, 2010 in the amount of \$80,000.00 from the General Fund. (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 Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 43
December 15, 2009
Community Resources

The Court hereby ordered and approved a motion approving the Management Agreement between Bexar County and San Antonio AIDS Foundation for a one year period beginning October 1, 2009 and ending September 30, 2010 in the amount of \$40,000.00 from the General Fund. (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 Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 44
December 15, 2009
Community Resources

The Court hereby ordered and approved a motion approving the following three contracts for Emergency Financial Assistance from Ryan White Part A funding totaling \$53,613 for the grant period March 1, 2009 through February 28, 2010. (Record)

<u>Provider</u>	<u>Funding Source</u>	<u>Total Contract Amount</u>
Alamo Area Resource Center	Part A 2009-10	\$19,723.60
BEAT AIDS	Part A 2009-10	\$22,265.40
EATS Foundation	Part A 2009-10	\$11,624.00

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



Item – 45
December 15, 2009
Information Services

The Court hereby ordered and approved a motion authorizing the County Judge to sign agreement(s) between Bexar County and the following organization(s): CommuniCare Health Centers, Affirm Background Screening, Inc., La Hood & Del Cueto, PLLC, and Cowboy Bail Bonds 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 Tommy Adkisson, duly seconded by County Commissioner Kevin A. Wolff, which motion was voted on as follows: Commissioners Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 46
December 15, 2009
Economic Development

The Court hereby ordered and approved a motion approving an economic development grant agreement pursuant to Chapter 381 of the Local Government Code, with the MiniMed Distribution Corporation in the amount of \$2 million to facilitate capital investment and job creation. (Record-contract to be filed later)

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



Item – 47
December 15, 2009
Infrastructure Services

The Court hereby ordered and approved a motion authorizing a request from the Infrastructure Services Department to hire Dan Curry as Construction Manager for the Capital Projects Section of the Facilities Maintenance Division at discretion point of the Grade (E10) \$66,288 annually effective December 17, 2009. (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 Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 48
December 15, 2009
Infrastructure Services

The Court hereby ordered and approved a motion authorizing approval to amend Section 2 of the Auditor’s Office Policy and Procedures, Item 3.1 – Employee Recognition Event Expenses, increasing the per event expenditures from \$300.00 to \$400.00 for the Public Works Safety Incentive Program Quarterly and Annual Recognition Events. This request will not result in an increase to the FY10 budget. (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 Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 49
December 15, 2009
Infrastructure Services

The Court hereby ordered and approved a motion authorizing the County Judge to execute a Professional Services Agreement between Bexar County and Fisher Heck Architects, in the amount of \$618,886 for professional architectural services in connection with the Restoration of the 1892 Courtroom 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 Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 50
December 15, 2009
Infrastructure Services

The Court hereby ordered and approved a motion approving a Professional Engineering Services Agreement between the County of Bexar and AMEC Earth and Environmental, Inc. to perform environmental services and/or investigations to include an Asbestos Survey and a Phase 1 Site Assessment at a cost not to exceed \$7,400 for the property located at Lot 26, Block 120, NCB 227 and Lots 7-15, Block 118, NCB 228. Precinct Number 2 (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 Wolff, Adkisson, and Judge Wolff voting "Aye".



Item – 51
December 15, 2009
Infrastructure Services

The Court hereby ordered and approved a motion approving a Second Amendment to the contract between Bexar County and Data Transfer Solution, LLC in the amount of \$49,650.00 for an additional 210 miles of data collection and additional time required to run modeling scenarios. (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 Wolff, Adkisson, and Judge Wolff voting "Aye".



Item – 52
December 15, 2009
Infrastructure Services

The Court hereby ordered and approved a motion authorizing the County Judge to execute Amendment Number 1 in the amount of \$22,702.90 to the contract between Bexar County and Raba Kistner Consultants Inc., in connection with the Juvenile Campus 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 Wolff, Adkisson, and Judge Wolff voting "Aye".



Item – 53
December 15, 2009
Infrastructure Services/Public Works Division

The Court hereby ordered and approved a motion authorizing acceptance of donation of 1.474 acres of land being a proposed drainage right of way easement located within Wynwood Place at Westcreek Subdivision, Unit 3, from the current owner of record Hanna/Magee L.P. #1, a Texas Limited Partnership, and for accepted maintenance by Bexar County of said drainage right of way easement. Precinct Number 1 (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 Wolff, Adkisson, and Judge Wolff voting "Aye".



Item – 54
December 15, 2009
Infrastructure Services/Public Works Division

The Court hereby ordered and approved a motion authorizing the purchase of right of way, being 0.021 acres of land, known as Parcel 88, Borgfeld Drive, located in north central Bexar County, from Borgfeld & Blanco Holdings,

LLC, a Texas limited liability company by Borgfeld & Blanco Management, LLC, a Texas limited liability company, its Manager for total consideration of \$20,800.00. Precinct Number 3 (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 Wolff, Adkisson, and Judge Wolff voting "Aye".



Item – 55

December 15, 2009

Infrastructure Services/Public Works Division

The Court hereby ordered and approved a motion authorizing the purchase of right of way, being 0.039 acres of land known as Parcel 22, Galm Road, located in northwest Bexar County from James W. Peyton and wife, Andrea Peyton for total consideration of \$1,875.00. Precinct Number 2 (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 Wolff, Adkisson, and Judge Wolff voting "Aye".



Item – 56

December 15, 2009

Infrastructure Services/Public Works Division

The Court hereby ordered and approved a motion authorizing an Order declaring a public necessity for the acquisition of fee simple title in and to a 1.492 acres being Parcel 85, as described in Exhibit "A-1", drainage easement of 0.034 acres, being Parcel 85-E-1 as described in Exhibit "A-2", and a drainage easement of 0.025 acres being Parcel 85-E-2 as described in Exhibit "A-3", and a temporary construction easement of 0.340 acres being Parcel 85-E-3 as described in Exhibit "A-4", save and except any oil, gas or minerals and any subsurface water rights in and to the property without any right of the owners of ingress and egress to and from the surface of said property to explore, develop, drill or produce, all such parcels being out of a 108.809 acre tract of land as described by a deed recorded in volume 11412, page 294 of the Real Property Records of Bexar County, Texas, attached hereto and made a part hereof for the improvement and widening of Borgfeld Drive for right-of-way and drainage purposes and authorizing institution of condemnation proceedings to acquire such land rights. Precinct Number 3 (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 Wolff, Adkisson, and Judge Wolff voting "Aye".



Item – 57

December 15, 2009

Infrastructure Services

The Court hereby ordered and approved a motion authorizing the County Judge to execute Field Alteration Number 1 for the contract between Bexar County and E.E. Hood and Sons, in connection with the Comal Street Reconstruction Project, BC 2009-247 increasing the contract amount by \$38,434.81. Precinct Number 2 (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 Wolff, Adkisson, and

Judge Wolff voting "Aye".



Item – 58
December 15, 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 \$44,004.33 to the construction contract between Bexar County and Jamail & Smith Construction in connection with the Raymond Russell Park 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 Wolff, Adkisson, and Judge Wolff voting "Aye".



Item – 59-61
December 15, 2009
Infrastructure Services/Public Works Division

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

Subdivision plat establishing Ashton Park Unit 1 Enclave, owner: FCC San Antonio 1 LLC, located southwest of Potranco Road (FM 1957) and S.H. 211, not within the Edwards Aquifer Recharge Zone. Precinct Number 1

Subdivision plat of Stillwater Ranch Unit 15C, owner: JSL Development Corporation, located east of Silver Pointe and Stillwater Parkway, not within the Edwards Aquifer Recharge Zone. Precinct Number 2

Subdivision plat of Sablechase Unit 4 Enclave, owner: Laredo OFR, Ltd., located north of Ralph Fair Road and Old Fredericksburg Road, not within the Edwards Aquifer Recharge Zone. Precinct Number 3

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



Item – 63
December 15, 2009
Infrastructure Services/Public Works Division

The Court hereby ordered and approved a motion establishing the following Traffic Control Devices: (Record)

No Parking Zones to be established:

Precinct No. 1

On Donley Cove from 50 feet north of Painted Daisy to 60 feet south of Painted Daisy both sides of street (7 am-9am and 2 pm-4pm)

On Painted Daisy west of Donley Cove both sides of street from Donley Cove to 60 feet west of Donley Cove (7am-9am and 2pm-4pm)

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



Item – 64
December 15, 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
Law Library Fund	BT09-212	\$59,772	Appropriated Fund Balance (9450)	Books and Periodicals (6030)
Infrastructure Services	BT10-043	\$62,068	Building Improvements (8040)	Furniture Minor (6399) - \$44,968; Transportation Services (4665) - \$17,100
Flood Control	BT10-045	\$26,000	Appropriated Fund Balance (9450)	Vehicles (8650)

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



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



Item – 7
December 15, 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. General Compromise, Release and Settlement Agreement, Re: Ricardo Martinez v. Bexar County, Texas, Cause No. 2006-CI-19286.
- b. Letter from David M. Adkisson, Belgum Group regarding Second & Final Demand for Settlement of Mary Zamarano.

- c. Notice of Intention to Submit to Final Binding Arbitration from the office of Perry Hyden, President, Deputy sheriff's Association of Bexar County, Re: Class Action Grievance 2009-DSABC-Class-09; Light Duty.
- d. Notice of Personal Injury Claim of Armando Bustos.



Item – 9
December 15, 2009
Commissioners Court

The Court hereby ordered and approved a motion approving Commissioners Court minutes for Thursday, November 12, 2009, Tuesday, November 17, 2009, and Tuesday, December 1, 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, Wolff, Adkisson, and Judge Wolff voting “Aye”.



Item – 5c
December 15, 2009
Commissioners Court

A presentation by Dr. Tony Fabelo with the Council of State Governments regarding an assessment of the Bexar County Adult Probation Department. (Record)

No action was taken.

Commissioner Paul Elizondo joined the meeting at this time.



Item – 30
December 15, 2009
Purchasing Department

The Court hereby ordered and approved a motion awarding a delivery order to Global Technology Systems to provide for the purchase of Honeywell batteries and chargers for two-way radios as requested by the Bexar County Information Services Department in the amount of \$103,510.00; and authorizing the Purchasing Agent to execute and file the appropriate award documents for record.

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



Item – 62
December 15, 2009
Infrastructure Services

The Court hereby ordered and approved a motion accepting, as corrected, the following streets and drains in the identified subdivisions for County maintenance to begin December 15, 2009: (Record)

<u>Subdivision</u>	<u>Street/Drain</u>
Candlewood, Unit 1 Plat #030489 (Precinct #4)	Candlewick Ct. (533.64 lf) Candleview Ct. (1,224.40 lf) Candleside Dr. (574.63 lf)
Candlewood, Unit 1 Plat #030489 (Precinct #4)	Drain "A" (151.11 lf)
Canyon Springs, Unit 12E Plat #050668 (Precinct #3)	Canyon Golf Road (4,200.85 lf)
Lost Creek Subdivision, Unit 3 Plat #060220 (Precinct #3)	Presidio Ledge (645.0 lf) Presidio Alley (435.0 lf) Presidio Sands (529.99 lf)
Meadows of Bridgewood, No. 8 Plat #030218 (Precinct #2)	Drain "F" (142.36 lf)
Talley GVH, Unit 3, Phase A & B Plat #050144 (Precinct #1)	Galm Road (1,812.24 lf)
Talley GVH, Unit 3, Phase A & B Plat #050144 (Precinct #1)	Drain "A" Phase B (65.78 lf) Drain "B" Phase B (66.17 lf)
Westwinds North, Unit 10 Plat #050525 (Precinct #1)	Lone Star (1,052.47 lf) Wild Pine (121.12 lf)
Wildhorse, Unit 14 Plat #040206 (Precinct #2)	Shetland Trace (301.25 lf) Tiger Horse Drive (1362.57 lf) Palomino Path (815.93 lf) Mustang Farm (1,030.80 lf) Mustang Mesa (40.50 lf) Mustang Gate (1,117.22 lf) Tiger Horse Cove (30.0 lf) Arabian Sand (30.0 lf)
Wildhorse, Unit 14 Plat #040206 (Precinct #2)	Drain "A" (75.23 lf) Drain "B" (392.24 lf) Drain "D" (77.52 lf)

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 – 65
December 15, 2009
Commissioners Court

The Court hereby ordered and approved a motion rescinding Commissioners Courts action from Tuesday, November 17, 2009 agenda #71 relating to an agreement to amend the grant and development agreement between Bexar County and Southeast Pony Baseball and Softball for the purpose of providing an additional \$385,000 in funding for lighting for the Southeast Skyline Baseball Complex Project; and adding a friendly amendment directing staff to work with the existing funds made available and the developer value engineer the project and re-divert funds back to the lighting project and live within the budget according to policy. (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 – 66
December 15, 2009
District Courts/Adult Drug Court

The Court hereby ordered and approved a motion authorizing to reclassify a Data Tracking Specialist position (NE-05) to an Analyst position (E-05), with all additional funding for salary and benefits to come from the Drug Court Fund, with an effective date of January 1, 2010.

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



Commissioner Tommy Adkisson left the meeting at this time.



Item – 68
December 15, 2009
Elections Department

The Court hereby ordered and approved a motion approving the following orders necessary for the conduct of early voting for the Joint Primary to be held on Tuesday, March 2, 2010 and the Runoff, if necessary, on Tuesday, April 13, 2010 to include: (Record)

- Order to Conduct Early Voting for the Primary and Runoff Election;
- Order designating the main early voting location and branch locations;
- Order setting compensation for the deputy early voting clerks for early voting;

Order adopting a voting system to be used; and
Order adopting the voting times for Saturdays and Sundays.

A motion was presented by County Commissioner Sergio “Chico” Rodriguez, 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 – 69
December 15, 2009
Infrastructure Services

Discussion was held regarding a status report concerning preparations for the December 20, 2009 through midnight January 1, 2010 retail fireworks sale period. (Record)

No action was taken

♠♠

Commissioner Tommy Adkisson returned to the meeting at this time.
And requested that he be shown as voting “Aye” on item 68.

♠♠

Item – 70
December 15, 2009
Information Services

A presentation by Catherine Maras regarding a status report on Bexar County Information Services projects. (Record)

No action was taken.

♠♠

Commissioner Paul Elizondo left the meeting at this time.

♠♠

Item – 71
December 15, 2009
County Auditor

The Court hereby ordered and approved a motion authorizing the County Judge to execute a Professional Services Agreement between Bexar County and IT Performance LLC in the amount of \$130,000 for a twelve month period, with a six (6) month extension at the option of the County, for the express purpose of providing the County with assistance related to the project management of the implementation of a Countywide automated, fully integrated, financial system. (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, Adkisson, and Judge Wolff voting “Aye”.



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



Item – 72
December 15, 2009
District Attorney's Office

The Court hereby ordered and approved a motion approving a professional services agreement for legal services with David F. Barton and The Gardner Law Firm. (Record-agreement to be filed later)

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 Adkisson 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:

- e. Pending or contemplated litigation or settlement offers in the following matters:
 - i. Cause No. 309996; Laura Hidalgo vs. Sylvia S. Romo, CPA, RTA, Office of the Tax Assessor Collector;
 - ii. Legal claims against web based hotel booking service companies such as Hotels.com, Expedia.com, Travelocity and others.

3:25 p.m.

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



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

3:35 p.m.

Commissioner Paul Elizondo returned to the meeting at this time.



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 Balbina "Barbie" Hernandez, Patrick C. Traugott Sr., Josh Smith, Marie Antoinette Litzow Krier, and Ignacio "Nacho" Loreda* until January 5, 2010 at 11:00 a.m.

3:35 P.M.

NELSON W. WOLFF, COUNTY JUDGE
BEXAR COUNTY, TEXAS

ATTEST:

GERARD RICKHOFF, COUNTY CLERK
BEXAR COUNTY, TEXAS