

# BEXAR COUNTY, TEXAS COMMISSIONERS COURT

## NOTICE OF PUBLIC MEETING

The Bexar County Commissioners Court will meet on **Tuesday, December 6, 2011 at 10:00 a.m.** in the Commissioners Courtroom on the First Floor of the Bexar County Courthouse, 100 Dolorosa, Suite 1.20, San Antonio, Texas 78205.

**NOTE:** The Commissioners Court may recess at 12:00 p.m. and may reconvene at 1:30 p.m.

**NELSON W. WOLFF  
COUNTY JUDGE**

**SERGIO "CHICO" RODRIGUEZ  
COMMISSIONER, PRECINCT 1**

**KEVIN A. WOLFF  
COMMISSIONER, PRECINCT 3**

**PAUL ELIZONDO  
COMMISSIONER, PRECINCT 2**

**TOMMY ADKISSON  
COMMISSIONER, PRECINCT 4**

**GERARD RICKHOFF  
CLERK OF THE COURT**

Questions regarding this agenda should be directed to the Bexar County Commissioners Court Support & Special Projects Administrator at (210) 335-0180. The agenda is available on the County's website (<http://www.bexar.org>). Click on "Public Information."

### **BEXAR COUNTY COURTHOUSE ACCESSIBILITY STATEMENT FOR DISABLED PERSONS**

This meeting site is accessible to disabled persons as follows: Entrance to the Bexar County Courthouse is accessible through the basement entrance on the south end of the Courthouse located at the intersection of Nueva and Main streets. To access the first floor, individuals must use the basement-level elevators located next to the tunnel between the Bexar County Courthouse and the Cadena-Reeves Justice Center.

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## COMMISSIONERS COURT CEREMONIAL AGENDA

1. Opening prayer: Allen Castro (Court/Kevin A. Wolff)
2. Pledge of Allegiance: (Court/Kevin A. Wolff)

## COMMISSIONERS COURT REGULAR AGENDA

3. Communications from citizens who signed the register to speak.
4. **SPECIAL PRESENTATION ITEM(S):**
  - a. Presentation by the Purchasing Department for receiving two national awards:
    - i. The Achievement of Excellence in Procurement Award, and
    - ii. U.S. Communities Government Purchasing Alliance Recognition Award.  
(Estimated Presentation Time: 10 minutes) (Dan Garza)
5. **TIME CERTAIN ITEM(S):**
  - a. **10:15 a.m.** – Discussion and appropriate action regarding the Bexar County Hospital District d/b/a University Health System's Operating, Debt Service and Capital Budgets for fiscal year 2012.  
(Estimated Presentation Time: 15 minutes) (George Hernandez)

### *Recess Commissioners Court*

- b. **11:30 a.m.** – Convene as Board of Directors, **Bexar County Housing Finance Corporation.**  
(Estimated Presentation Time: 10 minutes) (Board/Fulbright & Jaworski)

### *Reconvene Commissioners Court*

## COMMISSIONERS COURT REGULAR AGENDA

6. Request of Commissioners Court to identify items from the Consent Agenda for additional discussion and to approve remaining Consent Agenda items.
7. Filing for record the following legal and administrative documents and directing the Criminal District Attorney's Office to take action, if necessary:
  - a. Mark S. Vojvodich, Constable Pct. 3, FY 2011-12 State Asset Forfeiture Budget;
  - b. Notice of Personal Injury claim on behalf of Nicole Elizalde Henning;
  - c. Faxed letter from Joel Janssen, President, Re: DSABC Collective Bargaining Contract Grievance 2011-DSABC-CG-11; Complaint of CBA Violation by Member Rogelio Musquiz;
  - d. Notice of Vehicle Accident, Personal Injury Claim letter from Kristen Perez, Re: Auto Accident;
  - e. Letter to Judge Nelson Wolff from Sonia Rodriguez with the Law office of Branton, Hall, Rodriguez, Cruz Re: Notice of Personal Injury Claim on behalf of Leroy Sanchez, Jr. deceased;
  - f. Letter to Bexar County Commissioners Court from Double S. Paving, Inc., Re: Bexar County Firing Range Phase 1.
8. Approval of Commissioners Court minutes for November 15, 2011, and November 17, 2011.

### **CONSENT AGENDA ITEMS:**

All items under the Consent Agenda are heard and acted upon collectively unless opposition is presented, in which case the contested item will be considered, discussed, and appropriate action taken separately.

### **Item(s) Brought by Commissioners Court:**

**(Court)**

9. Approving a Resolution casting Bexar County's 715 votes for the election of Commissioner Sergio "Chico" Rodriguez to the Bexar Appraisal District Board of Directors for a two-year term of office beginning January 1, 2012 and ending December 31, 2013.
10. Approval of a request by Commissioner Wolff, Precinct 3, to appoint Stephanie Bocanegra Suarez to the Civil Service Commission, replacing Sandra Martinez, to serve a term beginning January 1, 2012 and expiring December 31, 2013.
11. Approval of a request by Commissioner Adkisson Precinct 4, to appoint Mr. Rudy Rodriguez to fill the unexpired term of the late Mr. Dan Puckett to the Bexar County Community Arenas Board for a 2 year term to begin upon appointment and expire August 14, 2013.
12. Approval of a request by Commissioner Tommy Adkisson, Precinct 4 to re-appointment Margaret W. Anaglia to the Small, Minority and Women-Owned Business Enterprise Program (SMWBE) Advisory Committee for a term to begin upon appointment and expire May 6, 2013.
13. Approval of 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, 2013.

**Item(s) Brought by County Manager's Office:**

**(David Smith)**

14. Ratification of the selection and appointment of Craig S. Roberts as Interim Fire Marshal/Emergency Management Coordinator.
15. Approval to adopt an Order restricting outdoor burning, effective on the date of adoption of the Order.
16. Authorizing the renewal of a Professional Services Agreement with Patton Boggs LLP for federal legislative services, not to exceed \$180,000 annually, beginning January 1, 2012 and expiring December 31, 2012.
17. Approval for the County Judge to sign an application submitted by Bexar County Constable, Precinct 2 to participate in the Texas 1033 Surplus Property Program.
18. Approval for the County Judge to sign an application submitted by Bexar County Constable, Precinct 4 to participate in the Texas 1033 Surplus Property Program.

**Item(s) Brought by Sheriff's Office:**

**(Amadeo Ortiz)**

19. Approval of second amendment to services contract between Bexar County and The GEO Group, Inc., requiring GEO to provide at the Karnes Correction Center the same obligations to house Bexar County inmate worker offenders at the Frio County Detention Center to include treatment at a medical facility, routine medical care, and inmate transportation.

**Item(s) Brought by District Court Drug Court:**

**(Ernie L. Glenn)**

20. Notification of creation of a Re-entry Drug Court deposit account by Bexar County Auditor and request for approval for collection of the Re-entry Drug Court fees for deposit to said account for Felony and Misdemeanor Re-entry programs.

**Item(s) Brought by Civil District Court:**

**(Peter Sakai)**

21. Approval of a professional services contract between Bexar County and the Family Service Association San Antonio, Inc., for the time period of October 1, 2011 through September 30, 2012, with total expenditures not exceeding \$53,900, to secure the development and operation of a program to care for children placed in the protective child care area of the Children's Court.
22. Approval of a professional services contract between Bexar County and River City Rehabilitation Center, Inc., for the time period of October 1, 2011 through September 30, 2012 to continue the operation of a program to administer drug tests, alcohol test, pregnancy tests and DNA tests to individuals and to provide testing results of the individuals referred by Bexar County, including, but not limited to referrals from the Children's Court, Civil District courts and the Children's Court Family Treatment Drug Court Program. The amount of the contract is \$49,980.

**Item(s) Brought by County Auditor:**

**(Susan Yeatts)**

23. Authorization and approval for the County Auditor to pay routine bills from Monday, December 5, 2011 through Friday, December 16, 2011.
24. Authorization to distribute payroll, including overtime, and auto allowances to be paid, Thursday, December 15, 2011.
25. Approval of bills from Wednesday, November 16, 2011 to include claims registers for Wednesday, November 16, 2011; Friday, November 18, 2011; Tuesday, November 22, 2011; Wednesday, November 30, 2011; and Friday, December 2, 2011.
26. Request approval of a total of \$26,119.54 in Tax Refunds for Paid in Error Request, which have been reviewed by the Auditor's Office and found to be valid.
27. Acceptance of an FLSA summary report regarding non-exempt County personnel that have accrued FLSA hours in excess of 199 but less than 240, and law enforcement personnel FLSA hours in excess of 439 but less than 480 as of the month ending November 1, 2011.
28. Acceptance of the certification by County Auditor, pursuant to Local Government Code §111.0108, of additional revenues available for the Bexar County Constable Precinct 3's State Asset Forfeiture Fund (Company # 835) of \$1,295. The Commissioners Court is not hereby adopting a special budget.

**Item(s) Brought by Purchasing:**

**(Dan Garza)**

29. Awarding Contract Amendment No. 2 to the construction manager-at-risk contract with Turner Construction Company for the purchase of additional construction services for the renovation of the mechanical system at the Bexar County Adult Detention Center, in Precinct 2 in the amount of \$297,295.89, as requested by the Bexar County Facilities and Parks Management Department.
30. Awarding the renewal of a service contract with Corrections Software Solutions, L.P. to provide for the purchase of software and data processing services for a one-year period beginning November 1, 2011 and ending October 31, 2012 under the same pricing, terms and conditions for an estimated amount of \$208,596 as requested by the Bexar County Community Supervision & Corrections Department; and authorizing the Purchasing Agent to execute and file the appropriate award documents for the record.
31. Awarding a delivery order to DACO Fire Equipment, Inc. to provide for the purchase of a Fire/Arson-Explosive Investigation Response Truck, as requested by the Bexar County Fire Marshal's Office in the amount of \$249,000 and authorizing the Purchasing Agent to execute and file the appropriate award documents for record.
32. Awarding a delivery order to Sam Pack's Five Star Ford to provide for the purchase of seven (7) 2012 Ford F-150 XLT Crew Cab 4X4 trucks, as requested by the Bexar County Fire Marshal's Department in the amount of \$161,284.91 and authorizing the Purchasing Agent to execute and file the appropriate award documents for record.

33. Awarding a delivery order to SimplexGrinnell for the purchase of labor and materials to perform inspection, testing and certification of fire alarm systems at various county facilities as requested by the Bexar County Facilities and Parks Management Department for a period beginning upon award and ending August 31, 2013, with an annual amount of \$64,973.44; providing for three one-year options for renewal and authorizing the Purchasing Agent to execute and file the appropriate award documents for the record.
34. Authorizing the Purchasing Agent to advertise an Invitation for Bid to provide for the purchase of Automotive Body Work Repair Services on a requirements contract basis for the Bexar County Public Works Department/Fleet Maintenance Division.
35. Authorizing the Purchasing Agent to advertise an Invitation for Bid to provide for the purchase of Door-to-Door Household Hazardous Waste Collection and Management Program on a requirements contract basis for the Bexar County Public Works Department Environmental Services Division.

**Item(s) Brought by Community Resources:**

**(Aurora Sanchez)**

36. Approval and extension of the Public Service Management Agreement between Bexar County and JOVEN, Inc. for the creating the Vision Program for a one year period beginning October 1, 2011 and ending September 30, 2012 in the amount of \$30,000 from Community Development Block Grant (CDBG) Program Funds.
37. Approval of contract amendment number 2 for an increase in funds totaling \$2,362 for services funded by Ryan White Part A Supplemental provided by El Centro Del Barrio.
38. Approval of contract amendment number 4 for an increase in funds totaling \$42,141 for services funded by Ryan White Part A Supplemental provided by the San Antonio AIDS Foundation.
39. Approval of contract amendment number 4 for an increase in funds totaling \$89,437 for services funded by Ryan White Part A Formula, Part A Supplemental and Part A Minority AIDS Initiative (MAI) provided by Alamo Area Resource Center.
40. Approval of the reprogramming of HOME Investment Partnership Program (HOME) funds in the amount of \$99,391 from the Community Housing Development Organization (CHDO) category, Neighborhood Housing Services – Highland Hills Land Acquisition Single Family Housing Project to Housing and Community Services – Guild Park Apartments Rehabilitation Project and permission to advertise for public comment.
41. Approval of the appointment of Roscoe B., Marshall, Jr. to the Workforce Solutions Alamo Board of Directors to fill the unexpired term of Ernest Serrato ending December 31, 2012.

**Item(s) Brought by Public Works:**

**(Renee Green)**

42. Approval of the Professional Services Agreement between Bexar County and Westward Environmental, Inc. (SWMBE) in the amount of \$12,336.00 for professional environmental services in connection with the Flood Control Capital Project, San Pedro Huisache Phase III project, SA-22, BC 2012-005. Precinct Numbers 2 and 4.

43. Approval of the Professional Services Agreement between Bexar County and Adams Environmental, Inc. (SWMBE) in the amount of \$35,499.25 for professional environmental services in connection with the Flood Control Capital Project, San Pedro Huisache Phase III project, SA22, BC 2012-003. Precinct Numbers 2 & 4.
44. Approval of the Professional Services Agreement between Bexar County and Adams Environmental, Inc. (SWMBE) in the amount of \$40,370.00 for professional environmental services in connection with the Flood Control Capital Project, Perrin Beitel Bridge project, SC9, BC 2011-373. Precinct Number 4.
45. Approval of the Professional Services Agreement between Bexar County and HNTB Corporation in the amount of \$168,076.42 for professional environmental services in connection with the Flood Control Capital Project, Knoll Creek between Classen & Jung Road Project, SC4, BC 2011-358. Precinct Numbers 3 & 4.
46. Approval of the Engineering Services Agreement between Bexar County and Burge Martinez Consulting, Inc. (SMWBE) in the amount of \$7,345 for construction materials testing and inspection in connection with Camelot Phase II Street Reconstruction Project, BC 2012-002. Precinct Number 4.
47. Approval of the Second Amendment to the Engineering Services Agreement between Bexar County and CP&Y, Inc. in the additional amount of \$161,134.32 for a total not-to-exceed contract amount of \$1,744,922.91, for professional civil engineering services in connection with the Flood Control Capital Project, Hausman Drainage Project Phase I project, LC9, BC 2008-302. Precinct Number 3.
48. Approval of the Second Amendment to the Engineering Services Agreement between Bexar County and PATE Engineers in the additional amount of \$288,904 for a total not-to-exceed contract amount of \$1,174,513 for professional civil engineering services in connection with the Flood Control Capital Project, Rosillo Creek RSWF Project, SC15, BC 2009-006, Precinct Number 4.
49. Approval of Field Alteration Number 1 for the BC 2010-026 contract between Bexar County and Hunter Demolition and Wrecking Corporation requesting to extend the period of performance by an additional 90 days, at no cost to Bexar County, in connection with Flood Control Capital Project, Huebner Creek Demolition, LC17. Precinct Number 2.
50. Approval of subdivision plat within the Extra Territorial Jurisdiction of the City of San Antonio: Tres Laurels Montgomery Road, owner: Tres Laurels, LTD, located northwest of U.S. Highway 90 and John D Ryan Blvd., not within the Edwards Aquifer Recharge Zone. Precinct Number 1.
51. Approval of subdivision plat within the Extra Territorial Jurisdiction of the City of San Antonio: Indian Springs Estates South Unit 2, owner: BOH Indian Springs TX, L.P., located southeast of Wilderness Oak and Bulverde Road, within the Edwards Aquifer Recharge Zone. Precinct Number 3.
52. Approval of the sale of a Bexar County owned property, being described as 1.3326 acres out of Lot 13, Block 32, New City Block 295, per deed recorded in Volume 7817, Page 241 of the Deed and Plat Records of Bexar County, Texas, located at 600 N. Leona, and being the so called Milagros Building, to the Bexar County Hospital District d/b/a University Health System for the appraised price of \$1,350,000 and approval of the execution of the needed closing paperwork. Precinct 2.

53. Authorizing the use of the power of eminent domain and approving an Order declaring the public necessity for the acquisition of: a 0.050 acre tract, a 0.413 acre tract, and a 0.170 acre tract, each in fee simple and a 0.125 acre tract and a 0.066 acre tract, each for temporary construction easements, all tracts of land, being out of a 40.45 acre tract recorded in volume 8861, Pages 1505-1516 of the Official Public Records of Real Property of Bexar County, Texas, for the public purpose of the Wilderness Oak Bridge, which includes connecting the two existing Wilderness Oak roadways by constructing, operating, repairing, and maintaining road improvements, sidewalks and flood channeling improvements where Wilderness Oak crosses Mud Creek, and a water quality basin to provide pollution abatement for the roadway to allow for increased regional access and unflooded secondary arterial access to and from the surrounding subdivisions to U.S. Hwy 281 and Tuscan Heights Elementary School, and to resolve threats to the health and safety of the public by reducing traffic congestion, commuting distances, and flooding for local residents and authorizing institution of condemnation proceedings to acquire those land rights in the amount Awarded by Probate court, plus applicable court costs, closing costs, and associated costs with eminent domain cases. Precinct Number 3.
54. Authorizing the sale of property struck off to Bexar County for delinquent taxes known as cause number 2003-TA1-00145; account number 033350670013; The North 46.9 feet of the South 91.9 feet of Lot 1 Highland Park situated in New City Block 03335 Block 067 in the City of San Antonio, Bexar County, Texas, as shown in Volume 06438 Page 0714 of the Deed and Plat Records of Bexar County, Texas; located at 2108 S. Hackberry Street for \$5,657.07 (the total adjudged value of property, including cost) to Hackberry Investors, Ltd. pursuant to Section 34.05(h) of the Texas Tax Code and authorizing the execution of deed. Precinct Number 4.
55. Order approving the Award of Special Commissioners and payment as filed under eminent domain Cause Number 2011-ED-0039, County of Bexar v. Isaac E. Burnette, et al, for the purchase of an ingress/egress easement being 1.436 acres of land, out of a 33.749 acre tract and a 1.497 acre tract described in Volume 5553, Page 453 of the official public records of real property Bexar County, Texas, in the amount of \$7,570.00 plus applicable court costs, closing costs, and associated costs with eminent domain cases. Flood Control Capital Project, Schaefer Road Drainage Phase I, CB19, Precinct Number 4.

56. Traffic Control Devices to be established:

**School Zones To Be Established:**

**Precinct No. 1**

The maximum speed on Krie Rd. from Barrel Pass to 1050 ft. east of Barrel Pass is 20 mph (from 7 a.m. to 9 a.m. and from 2 p.m. to 4 p.m., school days only).

57. Order accepting the following streets and drains in the identified subdivisions for County maintenance to begin December 6, 2011:

<u>Subdivision</u>	<u>Street/Drain</u>
Bluffs at Canyon Springs	Drain A 175.29 lf
Plat No. 060225	Drain B 64.28 lf
Precinct #3	Drain C 45.22 lf
	Drain C1 25.34 lf
	Drain D 113.03 lf
	Drain D1 25.34 lf

Bluffs at Canyon Springs  
Plat No. 060225  
Precinct #3

Drain F 10.0 lf

Iron Mesa 675.9 lf  
Asphalt Width: 28'  
Destiny Ridge 886.16 lf  
Asphalt Width: 28'  
Lariat Cove 423.69 lf  
Asphalt Width: 175 lf of 42' wide asphalt, and  
248.70 lf of 28' wide asphalt.

The Sanctuary, Unit 1 and 2  
Plat No. 080025  
Precinct #2

Antero Mt. 1,475.25 lf  
Asphalt Width: 30'  
Oxford Mt. 519.75 lf  
Asphalt Width: 28'  
Wetterhorn Mt. 290.0 lf  
Asphalt Width: 28'  
Pyramid Peak 205 lf  
Asphalt Width: 28'  
Massive Mt. 1,553.56 lf  
Asphalt Width: 28'  
Huron Peak 205.0 lf  
Asphalt Width: 30'  
Bierstadt Mt. 378.98 lf  
Asphalt Width: 28'  
Sneffels Mt. 290.04 lf  
Asphalt Width: 28'  
Handies Peak 50.0 lf  
Asphalt Width: 28'  
Snowmass Mt. 87.5 lf  
Asphalt Width: 28'

**Item(s) Brought by Facilities and Parks Management:**

**(Betty Bueche)**

58. Approval of a contract with Saldana and Associates for design services associated with the District Clerk temporary satellite filing station and concept design and cost estimate for a County History Center on the first floor of Bexar County Courthouse contract amount \$81,000.

**Item(s) Brought by Budget Department:**

**(Hank Reyes)**

59. Approval of a professional services agreement between Bexar County and the Customized Assessment and Treatment for the period of September 1, 2011 through August 31, 2012, with expenditures to be paid with approved monies from a Criminal Justice Division (CJD) grant from the Office of the Governor (Grant #: 20470-04), and with no County expenditures, to provide psychological assessment. This is a requirements contract and cost will not exceed \$11,250 for the psychological assessment provider.

60. Approval of a professional services agreement between Bexar County and Elite Counseling for the time period of September 1, 2011 through August 31, 2012, with expenditures to be paid with approved monies from a Criminal Justice Division (CJD) grant from the Office of the Governor (Grant #: 20470-04), and with no County expenditures, to provide 1) outpatient individual substance abuse treatment; and, 2) outpatient group substance abuse treatment. This is a requirements contract and cost will not exceed \$40,000 for the substance abuse treatment provider.
61. Approval of a professional services agreement between Bexar County and Rosetta's Key for the time period of September 1, 2011 through August 31, 2012, with expenditures to be paid with approved monies from a Criminal Justice Division (CJD) grant from the Office of the Governor (Grant #: 20470-04), and with no County expenditures, to provide 1) outpatient individual substance abuse treatment; and, 2) outpatient group substance abuse treatment. This is a requirements contract and cost will not exceed \$40,000 for the substance abuse treatment provider.
62. Approval of a professional services agreement between Bexar County and Alpha Home, Inc. for the time period of September 1, 2011 through August 31, 2012 with expenditures to be paid with approved monies from a Criminal Justice Division (CJD) grant from the Office of the Governor (Grant #: 20470-04), and with no County expenditures, to provide 1) outpatient individual substance abuse treatment; 2) outpatient group substance abuse treatment; and, 3) residential treatment services. This is a requirements contract and cost will not exceed \$10,000 for the substances abuse treatment provider.
63. Approval of a professional services agreement between Bexar County and Lifetime Recovery for the time period of September 1, 2011 through August 31, 2012, with expenditures to be paid with approved monies from a Criminal Justice Division (CJD) grant from the Office of the Governor (Grant #: 20470-04), and with no County expenditures, to provide 1) outpatient individual substance abuse treatment; 2) outpatient group substance abuse treatment; and, 3) residential treatment services. This is a requirements contract and cost will not exceed \$10,000 for the substance abuse treatment provider.

64. Approval of the following budgetary transfer(s):

<b>Office/Department</b>	<b>BT #</b>	<b>Amount</b>	<b>From</b>	<b>To</b>
County Road and Bridge	BT 12-010	\$652,050	Unreserved Fund Balance (31000)	Vehicles (54000)

65. Approval of a professional services agreement between Bexar County and the House of Discipleship for the time period of October 1, 2011 through September 30, 2012, with expenditures to be paid with approved monies from a Bureau of Justice Assistance (BJA) grant (Grant #: 2011-RW-BX-0017), and with no County expenditures, to provide housing services to the Co-Occurring Re-Entry (CORE) Court. This is a requirements contract and cost will not exceed \$20,000 for the substance abuse treatment provider.

**Item(s) Brought by Management Services:**

**(Tina Smith-Dean)**

66. Approval of the following:

- a. Approval of an order authorizing the issuance of “Bexar County, Texas Combination Tax and Revenue Certificates of Obligation, Series 2011A”; providing for the payment of said Certificates by the levy of an ad valorem tax upon all taxable property within the County and further securing said certificates by a lien on and pledge of the pledged revenues of the parking station; providing the terms and conditions of said certificates and resolving other matters incident and relating to the issuance, payment, security, sale, and delivery of said certificates, including the approval and distribution of an Official Statement; authorizing the execution of a Paying Agent/Registrar agreement and a purchase contract; complying with the requirements imposed by the letter of representations previously executed with the Depository Trust company; delegating the authority to certain members of the Commissioners Court and County staff to execute certain documents relating to the sale of the Certificates; and providing an effective date of December 6, 2011.
  
- b. Approval of an order authorizing the issuance of “Bexar County, Texas Combination Flood Control Tax and Revenue Certificates of Obligation, Series 2011”; providing for the payment of said certificates by the levy of an ad valorem tax upon all taxable property within the County and further securing said certificates by a lien on and pledge of the pledged revenues of the parking station; providing the terms and conditions of said certificates and resolving other matters incident and relating to the issuance, payment, security, sale, and delivery of said certificates, including the approval and distribution of an Official Statement; authorizing the execution of a Paying Agent/Registrar agreement and a purchase contract; complying with the requirements imposed by the letter of representations previously executed with the Depository Trust Company; delegating the authority to certain members of the Commissioners Court and County staff to execute certain documents relating to the sale of the certificates; and providing an effective date of December 6, 2011.

**INDIVIDUAL AGENDA ITEMS:**

**The following Individual Agenda Items may be considered at any time during this meeting:**

**Item(s) Brought by Information Technology:**

**(Catherine Maras)**

67. Discussion and appropriate action regarding:

- i. Approval and adoption of the County Integrated Justice System Project Charter Resolution.
  
- ii. Approval of an Agreement between Bexar County and American Cadastre, LLC (AMCAD) for the Bexar County Integrated Justice System Project in the amount of \$18,962,701.40; and authorizing the Purchasing Agent to execute and file the appropriate award documents for the record including any appropriate budgetary transfer.  
(Estimated Presentation Time: 10) (Catherine Maras)

**Item(s) Brought by County Manager's Office:**

**(David Smith)**

68. Discussion and appropriate action regarding the December 2011 fireworks season.  
(Estimated Presentation Time: 5 minutes)

**(Craig Roberts)**

**Item(s) Brought by Public Works:**

**(Renee Green)**

69. Discussion and appropriate action regarding approval to submit the Southern Edwards Plateau Habitat Conservation Plan (SEP-HCP) and associated application for an incidental take permit to the United States Fish and Wildlife Service (FWS). County Wide.  
(Estimated Presentation Time: 10 minutes)

**(Renee Green)**

**Item(s) Brought by Purchasing:**

**(Dan Garza)**

70. Discussion and appropriate action regarding authorizing approval of Amendment Number 1 to the Construction Manager at Risk Agreement between Bexar County and Joeris General Contractors, LTD for the purchase of construction manager at risk services for the Renovation of the Cadena-Reeves Justice Center, 300 Dolorosa, San Antonio, Texas, Precinct 4, amount not to exceed stipulated sum of \$20,182,129.  
(Estimated Presentation Time: 5 minutes)

**(Dan Garza)**

**EXECUTIVE SESSION (DISCUSSION ONLY: CLOSED TO PUBLIC)**

**(Pursuant to Chapter 551, Texas Government Code)**

EXECUTIVE SESSION ITEMS MAY BE DISCUSSED AND ACTED UPON, IF APPROPRIATE, IN OPEN SESSION.

71. § 551.071 Consultation with Attorney for advice regarding:

(a) Pending or contemplated litigation or settlement offers in the following matters:

- i. Harlan McVea by and through Deborah Rinehart, Administratrix v. Bexar County and University Health Systems, Cause No. 5:11-CV-00256FB(NN).

(b) Legal issues pertaining to the following matters in which the duty of the attorney for Bexar County under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act:

- i. Agreement with the law firm of Beirne, Maynard & Parsons, L.L.P pertaining to Bexar County claims relating to the recovery of unpaid recording fees resulting from illegal and fraudulent actions of Mortgage Electronic Registration System, Inc. (MERS), including its mortgage industry members and all participating similarly situated culpable parties.

72. § 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.)

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

Posted: Friday, December 2, 2011, at 5:00 p.m.