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COUNTY AUDITOR PUBLIC HEARING

JULY 28, 2022

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Council of Judges Meeting

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1 (Hearing conducted via Zoom
2 videoconference.)

3 JUDGE ANNABELL PEREZ: This is the --
4 today is July 28th, 2022. It is now 11:34 p.m. We are
5 convened to proceed with the County Auditor public
6 hearing to consider their budget for Fiscal Year 2023.
7 This is a public hearing that -- where the budget will
8 begin on October 1, 2022. The Auditor will provide an
9 overview of the information to be acted on by the
10 district judges to include certification of staffing and
11 setting of the salaries of a County Auditor, assistant
12 auditors and court reporters and the auditor --
13 Auditor's Fiscal Year 2023 budget.

14 And may the record reflect that we are
15 conducting this public hearing on the Zoom
16 teleconference program. It is being recorded. I don't
17 see that we have opened it up to the YouTube channel.

18 Should I do it on mine? I don't have
19 hosts ability to do that.

20 MR. CUCCARO: I can post -- let me see.
21 Live on YouTube.

22 JUDGE ANNABELL PEREZ: Please.

23 MR. CUCCARO: It's now live on YouTube.

24 JUDGE ANNABELL PEREZ: I'm not seeing it
25 live, but you're confirming it's live on your end? It

1 usually will pop up in the corner.

2 MR. CUCCARO: Let me look. No, I don't
3 see it. My account is connected to the Council of
4 Judges account.

5 JUDGE ANNABELL PEREZ: Can you make me
6 host?

7 MR. CUCCARO: Sure. Ed did publish the
8 Zoom account or the Zoom link.

9 JUDGE ANNABELL PEREZ: Yeah, but it has to
10 be open --

11 MR. CUCCARO: Yeah.

12 JUDGE ANNABELL PEREZ: -- for observers.

13 MR. CUCCARO: Oh, they can just jump into
14 the meeting, so -- hang on. I'm getting ready to switch
15 it to you. Okay. Judge Perez, you're a cohost.

16 JUDGE ANNABELL PEREZ: Yeah, it's still
17 not giving me the ability to go on YouTube.

18 So, let's go ahead and proceed.

19 Mr. Dion, how was the link to this Zoom
20 teleconference published publically?

21 MR. DION: It was published -- advertised
22 in the El Paso Inc. on July 3rd, 2022.

23 JUDGE ANNABELL PEREZ: Okay.

24 MR. DION: And we have got confirmation
25 from the El Paso Inc. of that publication.

1 THE COURT: Okay. So, anybody wanting to
2 jump into the Zoom teleconference will be allowed to do
3 so. And so the record may also reflect, we are doing
4 this by teleconference due to the COVID-19
5 circumstances, and we are attempting to ensure the
6 safety of all participants and enforcement of social
7 distancing, safe distancing.

8 So, I want to welcome everyone and anyone
9 from the public. At this time, I will proceed pursuant
10 to Texas Local Government Code, Section 152.905 and ask
11 the Auditor to begin its presentation.

12 MR. DION: Thank you very much, Judge.

13 Edward Dion, El Paso County Auditor. I
14 will start with the first item of discussion is the
15 district judges, auditors salary pay scales. They were
16 originally approved August 17th of 2017. The pay scales
17 continue -- they contain classifications of executive
18 management, internal -- internal auditors, professional
19 and general, and it's modeled after the County's 15 year
20 step plan. The pay scale continues to remain consistent
21 with the county salary step plan and therefore the plan
22 is adjusted annually for a cost of living adjustment, if
23 any are awarded to the majority of other county
24 employees.

25 In this regard, in -- in FY22, the County

1 awarded an eight percent wage adjustment and therefore
2 the district judges, auditor pay scales were updated
3 accordingly. That is the way the budget was approved in
4 '22 that any raises or wages, increases to other county
5 employes would apply to the auditor's staff and court
6 reporters.

7 So, otherwise, the salary plan remains the
8 same, with continued support for certification, or pay
9 for nonmanagement staff for certification pay. This
10 plan supports continuing and inclusion of certification
11 pay for nonmanagement employees that achieve
12 professional certifications, and it's only allowed once
13 per employee. And examples are if they become a CPA, a
14 certified internal auditor, certified fraud examiner, or
15 certified information systems auditor.

16 So, the internal auditors -- also the
17 clarification there is that future vacancies remain.
18 That the future auditors that are filled vacancies will
19 be certified internal auditors. New employees will be
20 placed on district judges county auditors salary step
21 plan based on qualifications and experience as
22 authorized by the auditor and with concurrence of the
23 administrative district judge.

24 And the pay scales will automatically be
25 adjusted similar to county pay scales only if and when a

1 cost of living and a wage adjustment are awarded and
2 implemented consistent with the County protocols as well
3 as associated appropriation transfers.

4 That's everything I had on the auditor pay
5 scale plan. If there's no questions, I will go to Item
6 2.

7 Item 2 --

8 JUDGE ANNABELL PEREZ: Hold on.

9 Does anybody have any questions regarding
10 Item Number 1 of the agenda regarding the auditor's
11 salary pay scales as proposed for Fiscal Year 2023?

12 Okay. And I've heard none.

13 Mr. Dion, you may proceed to the next
14 item.

15 MR. DION: Thank you.

16 The next item is certification of staffing
17 requirements pursuant to Local Government Code 84.021,
18 for the Fiscal Year beginning October 1 of '22.

19 Staffing requirements total 74, comprising
20 the County Auditor and 73 assistant auditor positions.
21 Three of the positions are -- there's two new
22 accountants with grants compliance audit and one audit
23 generalist in the revenue estimation analysis division.
24 The two grant accountants, the funding is -- one of them
25 is going to be 66 percent from ARPA funds, and 34

1 percent from general fund. And the second position is
2 fully a hundred percent from the general fund. The one
3 audit generalist is general fund funded also.

4 The auditor follows County protocol and
5 met with County administration who agreed to support the
6 positions, but the grant positions would remain vacant
7 similar to what we did in Fiscal Year '22, and they were
8 all filled. The process is subject to approval of
9 funding by the Commissioner's Court and we provided data
10 that supported the position increases. We noted that
11 the -- one of the positions was actually recommended by
12 County administration staff. It has already been
13 approved by the Commissioner's Court subject to funding
14 in Fiscal Year '23.

15 So, the -- this item includes a summary of
16 the auditor's staff oaths of office. Copies were
17 attached. All staff have executed their oath of office
18 and they have been filed with the County Clerk.

19 With that, does anybody have any questions
20 on this item?

21 JUDGE ANNABELL PEREZ: Okay. Is there any
22 member of the public that has any questions of the
23 Auditor regarding the County auditors certification of
24 staffing requirements Fiscal Year beginning October 1,
25 2022?

1 Can I hear --

2 MS. KELLER: Judge?

3 JUDGE ANNABELL PEREZ: Yes?

4 MS. KELLER: I'm sorry. This is Betsy.

5 Let me see if I can get my camera to work.

6 We don't have any questions.

7 I do want to clarify, Edward.

8 MR. DION: Yes.

9 MS. KELLER: This is something that just
10 came up.

11 It may end up -- that one position may end
12 up being a hundred percent ARPA funded, but it's --
13 that's irrelevant to the position. We are evaluating
14 because of the budget impacts and revenue projections
15 we're evaluating keeping some things on ARPA longer.

16 MR. DION: Okay.

17 MS. KELLER: But that to me is -- it's a
18 semantics issue. It's not an issue about the position
19 itself, so I did want to clarify that one funding
20 source.

21 MR. DION: Okay. But all three of these
22 positions, I think, we're in agreement with County
23 administration. They will all remain vacant, unfunded
24 until such time as we get together and we have an
25 agreement on the funding like we did in 2022. And the

1 whole purpose of these additional grant positions is to
2 support the ARPA grants. It's to support the
3 Commissioner's Court and the effort for a lot more
4 grants coming into the County and for this community.
5 So --

6 MS. KELLER: Yes, sir.

7 MR. DION: -- I just want to make sure
8 we're on the same page.

9 MS. KELLER: Yes, sir. We really do
10 appreciate that partnership.

11 MR. DION: Thank you.

12 JUDGE ANNABELL PEREZ: Okay. Thank you.

13 And for the record, that was Ms. Betsy
14 Keller, El Paso County Admin -- I'm sorry. What is your
15 title again?

16 MS. KELLER: That's it. County
17 Administrator.

18 JUDGE ANNABELL PEREZ: County
19 Administrator, I apologize. Thank you.

20 Is there any other question or comment
21 regarding Item 2 of the agenda regarding the
22 certification of the staffing requirements for next
23 Fiscal Year?

24 I've heard none.

25 Mr. Dion, thank you. You may proceed.

1 MR. DION: Thank you.

2 Item 3 is a compensation of the County
3 Auditor, assistant auditors and court reporters pursuant
4 to Local Government Code 152.905.

5 All positions are being presented at their
6 present FY22 salaries. A total of 74 full-time
7 positions, including three unfunded vacancies as I've
8 explained in Exhibit D, containing a list of the auditor
9 positions, the pay grades and the salaries.

10 Budgeted salaries include certification
11 pay for four individuals on -- that are working on their
12 professional certifications which will be awarded only
13 after attainment of the appropriate certifications.
14 Exhibit D also includes a listing of the County's 39
15 court reporters which also depicts their present
16 salaries based on the County wage scales at P-16 at
17 their respective step plan levels.

18 Furthermore, salaries of the County
19 Auditor, assistant auditors and court reporters, if and
20 when the Commissioner's Court approves an increase, such
21 as cost of living, wage adjustment or step increases for
22 the majority of other County employees that are non
23 union, as well as any reductions, it will be requested
24 that such adjustments also be applied to these
25 positions.

1 That's all I have on this item if anybody
2 has questions.

3 JUDGE ANNABELL PEREZ: Is there any member
4 of the public that has any questions or comment
5 regarding Item Number 3, the discretion regarding the
6 setting of the amount of compensation of the County
7 Auditor, assistant auditors and court reporters for
8 Fiscal Year 2023?

9 I've heard none.

10 Mr. Dion, you may proceed.

11 MR. DION: Thank you.

12 The last item, Number 4, regarding the
13 Auditor's proposed budget for FY23, beginning October 1,
14 2022, pursuant to the Government Code 81.021.

15 Basically the changes here are the revised
16 FY22 budget versus the proposed '23 budget. Overall,
17 the budget depicts a growth of about \$601,192 or 8.78
18 percent. The increase is attributable mainly to
19 salaries and fringe benefits totaling an increase of
20 582,931 or 8.61 percent, of this amount 211,421 related
21 to the funding of personnel and fringe for the new
22 positions that are going to be contingent and need to be
23 funded later in the Fiscal Year for the two grant audit
24 accountant and one audit generalist.

25 The bulk of the increases, other than

1 those new positions, is mainly the eight percent
2 increase that was awarded in FY22 and the rest is fringe
3 benefits. The one that is the most significant is the
4 health benefits to the County. For all the departments
5 in the County, you're going to see an increase in those
6 budgets and that's outside the control of all the
7 departments, including retirement and the other fringe
8 benefits that are added on.

9 The declines total about \$9,784 and that
10 was a variety of accounts. Office expense went down by
11 \$1,972. Office expense general -- operating expense
12 general, \$850. Operating expense equipment, \$1,634.
13 Maintenance and repair software went down like \$240.
14 Rentals, leases, software went down by \$5,088.

15 The increases total about \$28,045 and the
16 bulk of this is \$25,950 for moving expenses. And
17 basically this is a price quote we got from the
18 purchasing agent, for the Auditor's Office, to relocate
19 from the MDR building to the new downtown annex in, I
20 think, the first or second quarter in Fiscal Year '23
21 once that facility is completed. So, that expense maybe
22 a lot less, but that's the projection we currently
23 received from Purchasing.

24 The other increases were \$648 for a Public
25 Official Bond typically relating to the auditor that has

1 a bond every two years based on reappointment years.

2 And employee training went up by \$1,447.

3 With that, if anybody has any questions --
4 I'll just summarize the budget.

5 I'm just certifying that County Auditor's
6 proposed budget is \$7,451,043 for Fiscal Year 2023 as
7 depicted in Exhibit E.

8 Relating to personnel operating in,
9 overall the increase was \$601,192 or 8.78 percent.

10 With that, if anybody has any questions.

11 JUDGE ANNABELL PEREZ: All right.

12 Does any one of the public have any
13 questions regarding the County Auditor's proposed budget
14 for Fiscal Year 2023 as presented pursuant to Texas
15 Government Code 81.021? Any public comment or
16 questions?

17 There appear to be none.

18 Is there anything further, Mr. Dion?

19 MR. DION: No, Judge. With that, I think
20 it's -- would be appropriate to close the public hearing
21 and to -- for the judge to entertain motions on each of
22 the items.

23 JUDGE ANNABELL PEREZ: Okay. Thank you.

24 And with the conclusion of Mr. Dion's
25 presentation and the request for any public comments or

1 questions, the public hearing is now closed.

2 And I'd like the record to reflect that
3 that early -- almost immediately after Mr. Dion started
4 his presentation the -- this proceeding -- the public
5 hearing did go live on the YouTube channel of the
6 Council of Judges. And so aside from the publication of
7 the zoom link in newspaper of significant circulation
8 here in El Paso County, it was also made live on the
9 YouTube channel.

10 So, the proceed -- the public hearing is
11 now closed.

12 Then at this time, I will need a motion,
13 please, to approve the County Auditor's salary pay scale
14 plan for Fiscal Year 2023 as discussed, which is
15 currently consistent with the County's salary step plan
16 and where the plan will be increased to the extent of
17 any cost of living adjustments granted to the auditor's
18 staff, as well as step increases consistent with that
19 approved by the El Paso County Commissioner's Court for
20 the majority of the other county employees. This plan
21 continues to provide for two-step certification pay
22 increases to nonmanagement employees, subsequent to
23 certification, if any.

24 Can I have a motion to approve, please?

25 JUDGE ALYSSA PEREZ: Judge Alyssa Perez --

1 JUDGE SALAS-MENDOZA: Oh --

2 JUDGE ALYSSA PEREZ: You are doing better
3 identifying yourself.

4 JUDGE SALAS-MENDOZA: I'll let you be the
5 movant. Go ahead.

6 JUDGE ANNABELL PEREZ: Alyssa -- Judge
7 Alyssa Perez has made the motion.

8 Any second?

9 JUDGE DOMINGUEZ: Judge Dominguez,
10 seconds.

11 JUDGE ANNABELL PEREZ: Okay. May I have
12 -- we have a motion and a second. All those in favor
13 say aye.

14 MR. CUCCARO: It would be --

15 JUDGE ANNABELL PEREZ: All those --

16 MR. CUCCARO: May I have a thumbs up from
17 people who have -- are on the screen?

18 JUDGE ANNABELL PEREZ: Or -- well, okay.

19 There has to be an easier way than that.

20 Mr. Cuccaro, have you recorded the vote?

21 MR. CUCCARO: I'm getting there.

22 Judge Enriquez, thumbs up. Judge Anna
23 Perez?

24 JUDGE ANNABELL PEREZ: Oh, sorry.

25 MR. CUCCARO: Alyssa Perez. Judge Garcia

1 -- Judge Ness Garcia. Judge Solis.

2 JUDGE SOLIS: Yes, aye.

3 MR. CUCCARO: Got you. Thank you.

4 Except for Judge Lyda Ness Garcia, I have
5 everybody.

6 JUDGE ANNABELL PEREZ: She has her hand
7 up.

8 MR. CUCCARO: Okay. Great. Okay.
9 Everyone has voted.

10 JUDGE ANNABELL PEREZ: Anyone opposed?
11 Motion carries and approved.

12 May I -- from the District Court judges,
13 may I have a motion to approve the County Auditor's
14 certification of staffing totalling 74 employees, to
15 include the County Auditor and 73 assistant auditors?
16 This includes two grant audit accountants, one to be
17 funded one hundred percent by ARPA funds as clarified by
18 Ms. Keller, the County Administrator, and one audit
19 generalist to be funded by the general fund of the
20 County.

21 These positions are to be funded at a
22 later date in Fiscal Year 2023 in collaboration with the
23 County, consistent with the process in Fiscal Year 2022.

24 May I have a motion?

25 JUDGE DOMINGUEZ: So moved.

1 JUDGE ANNABELL PEREZ: That was Judge
2 Dominguez.

3 May I have the second, please?

4 JUDGE NAVARRETE: Judge Navarrete, second.

5 JUDGE ANNABELL PEREZ: Second by Judge
6 Diane Navarrete.

7 All those in favor please raise your hand
8 in your box. And for those of you that are doubling up,
9 if there's two -- four judges and two boxes just thumbs
10 up.

11 JUDGE CHEW: I don't know how to get to my
12 box.

13 MR. CUCCARO: Just a thumbs up is fine.

14 JUDGE ANNABELL PEREZ: Yeah, an actual
15 thumbs up on the two judges...

16 MR. CUCCARO: Judge Navarrete, is that a
17 -- yup, thumbs up. Linda Chew, thumbs up. Judge
18 Dominguez, up.

19 Judge Anna Perez, are you --

20 JUDGE ANNABELL PEREA: I'm in favor.
21 Sorry. I keep forgetting to vote.

22 MR. CUCCARO: No problem.

23 Judge Baca, I just lost you on the screen.
24 Oh, there she is. Okay. Everyone has voted.

25 JUDGE ANNABELL PEREZ: Any judges opposed?

1 Okay. The motion is passed. The motion
2 carries as approved.

3 May I have a motion to approve the
4 salaries of the County Auditor, assistant auditors and
5 all court reporters at their current salaries and
6 pursuant to approval by the County for their -- for
7 other county employees if any, a COLA and/or salary step
8 or wage adjustment to the respective salary plans and
9 any reclassifications, regrades or other actions?

10 Additionally, the motion shall include non
11 management auditor staff to receive professional
12 certification pay, only if and when the professional
13 certification is obtained.

14 May I have a motion, please?

15 JUDGE SALAS-MENDOZA: Maria Salas-Mendoza,
16 so moved.

17 JUDGE ANNABELL PEREZ: May I have a
18 second?

19 JUDGE DOMINGUEZ: Second.

20 JUDGE ANNABELL PEREZ: Judge Dominguez
21 will second.

22 May I have all those in favor, please,
23 raise your hand. Okay.

24 MR. CUCCARO: Judge Medrano...

25 MS. LOZANO: He has his hand up.

1 MR CUCCARO: Sorry. It's just hard to
2 see.

3 Judge Enriquez, yes. Linda Chew.
4 Navarrete, yes.

5 Everyone has voted. It's unanimous.

6 JUDGE ANNABELL PEREZ: All right. Motion
7 carries and it's approved.

8 And then the final motion. Pursuant to
9 Local Government Code, Section 84.901, move to approve
10 the County Auditors proposed budget of \$7,451,043 for
11 Fiscal Year 2023 as depicted in Exhibit E, on the
12 record.

13 May I have a motion to approve?

14 JUDGE SALAS-MENDOZA: Move to approve.

15 JUDGE ANNABELL PEREZ: Judge Salas moves
16 to approve.

17 May I have a second?

18 JUDGE DOMINGUEZ: Second.

19 JUDGE ANNABELL PEREZ: Judge Dominguez
20 seconds the motion.

21 All those in favor, please, raise your
22 hand.

23 MR. CUCCARO: Judge Solis. Judge
24 Dominguez, Chew. All in favor. Everyone has voted.

25 JUDGE ANNABELL PEREZ: All right. The

1 motion carries and approved.

2 All right. That concludes the action
3 portions of this proceeding.

4 Mr. Dion, is there anything further at
5 this point?

6 MR. DION: No, Judge. Thank you all very
7 much. Appreciate it.

8 JUDGE ANNABELL PEREZ: All right. At this
9 time, the special meeting regarding the County Auditor's
10 budget proposal for Fiscal Year 2023 is now concluded.

11 And we are now off the record.

12 (Proceedings concluded.)

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