EL PASO COUNTY COMMISSIONERS COURT

CARLOS LEON Commissioner, Pct. 1

ILIANA HOLGUIN Commissioner, Pct. 3



DAVID STOUT Commissioner, Pct. 2

SERGIO CORONADO Commissioner, Pct. 4

RICARDO A. SAMANIEGO County Judge

Commissioners Court Chambers, El Paso County Courthouse 500 East San Antonio Room 303 El Paso, Texas 79901 Website address: http://www.epcounty.com View live video webcast: http://epcounty.com/video

COMMISSIONERS COURT REGULAR MEETING MINUTES MONDAY, DECEMBER 4, 2023

HON. RICARDO A. SAMANIEGO	COUNTY JUDGE, PRESIDING	PRESENT
CARLOS LEON	COMMISSIONER, PCT #1	PRESENT
DAVID S. STOUT	COMMISSIONER, PCT #2	PRESENT
ILIANA HOLGUIN	COMMISSIONER, PCT #3	PRESENT
SERGIO CORONADO	COMMISSIONER, PCT #4	PRESENT

MINUTES PREPARED BY JESSICA DOMINGUEZ, DEPUTY CLERK CESAR O. NAVA, DEPTUY CLERK

1. MEETING CONVENED

Commissioners Court of El Paso County, Texas was called to order by the Deputy Clerk at 9:36 A.M.

2. PLEDGE OF ALLEGIANCE

Denisse I. Villalobos-Estrada, 11th grader at Fabens High School and 1st place winner for the "I Voted" Sticker Contest, led the Commissioners Court in the Pledge of Allegiance and Texas Pledge.

3. INVOCATION

Receive an invocation from David Marcus, representing Join Us for Justice, the El Paso Chapter of Americans United for Separation of Church and State.

4. CONSENT AGENDA

A. Approval of the Minutes of the regular meeting of November 13, 2023 and the special meeting of November 16, 2023.

County Administration Department (915) 546-2215

B. Approve the reappointment of Commissioner Coronado to the El Paso Central Appraisal District (EPCAD) Board for the year 2024.

Betsy C. Keller, CM, Chief Administrator, County Administration Department (915) 546-2215

- C. Pursuant to the Texas Local Government Code, Section 115.021, audit and settle all accounts against the County shown on the attached listing and direct the payment of those accounts.

 Barbara Parker, County Auditor, County Auditor's Office (915) 273-3262
- D. Pursuant to the Texas Local Government Code, Section 115.021, audit and settle all accounts against the County shown on the attached listing and direct the payment of those accounts.

 Barbara Parker, County Auditor, County Auditor's Office (915) 273-3262
- E. **PULLED FOR DISCUSSION BY COMMISSIONER HOLGUIN -** Approve amendment No. 49 & 51 to the County of El Paso's 2022-2023 operating budget. This budgetary amendment will decrease Grants by \$662,672.05, thus decreasing the overall budget of \$778,198,555.22 to \$777,535,883.17.

 Jessica C. Garza, Interim Director, Budget & Finance Department (915) 546-2262
- F. Approve amendment No. 7 & 8 to the County of El Paso's 2023-2024 operating budget. This budgetary amendment will increase Grants by \$314,634.00, thus increasing the overall budget of \$614,154,328.56 to \$614,468,962.56.

Jessica C. Garza, Interim Director, Budget & Finance Department (915) 546-2262

- G. Approve and authorize the County Judge to sign the Federal Emergency Management Agency (FEMA) Emergency Food and Shelter Program (EFSP) 2022 Humanitarian Relief Funding (HR2022) Final Report for advance funding awarded to the County for its expenses associated with humanitarian response during the spending period of July 1, 2022, through March 31, 2023. (Contract No. 2023-0978) Irene G. Valenzuela, Executive Director, Community Services Department (915) 775-2708
- H. **PULLED FOR DISCUSSION BY COMMISSIONER HOLGUIN** Approve and authorize the Chief Administrator to review and approve events that extend past the end date of the County's current agreement in accordance with Article 7.2 of the Facilities Management Agreement with the El Paso Sports Commission. Melissa M. Carrillo, PHR, Executive Director, County Operations Department (915) 546-2162
- I. Pursuant to Texas Local Government Code Section 81.032, approve and authorize the El Paso County Elections Department to accept donation of items needed to promote voter participation and award the first, second and third place winners of the 2024 "I Voted" sticker contest.

 Lisa Wise, Elections Administrator, Elections Department (915) 546-2154
- J. Approve and authorize the County Judge to sign the Cyber Liability Insurance Rate Proposal and related documents for FY24 authorizing the County's Insurance Broker (USI Southwest Inc.) to proceed with obtaining a policy based on their Liability Insurance Rate Proposal for Cyber Insurance coverage. Funding is available in GF-GADM-INS-GEN/PROPERTY. (Contract No. 2023-0766)
 Sam Trujillo, Interim Chief Human Resources Officer, Human Resources Department (915) 546-2218
- K. Approve and authorize the County Judge to sign the Sixth Amendment to Master Service Agreement between El Paso County and Aetna Life Insurance Company for Third Party Administration Services for the County's Health and Dental Plan and related services for plan year 2024. Funds are available in IS-HEALTH-HEALTH/DENTAL CLAIMS. (Contract No. 2023-0873)

Sam Trujillo, Interim Chief Human Resources Officer, Human Resources Department (915) 546-2218

L. Approve and authorize the Stop Loss Renewal Proposal Rate with Aetna Life Insurance Company for Stop Loss Insurance coverage for the County's Health and Dental Plan for plan year 2024. Funds are available in IS-HEALTH-SPECF/AG STP LSS INS. (Contract No. 2023-0874)
Sam Trujillo, Interim Chief Human Resources Officer, Human Resources Department (915) 546-2218

M. Approve and authorize the County Judge to sign this agreement between the County of El Paso and Votec Corporation for the Sole Source Purchase of VEMACS and VoteSafe Support for the Elections Department for the total amount of \$541,905 for the next four (4) years. Funding is available in GF-ITD-MAINT/REP-SOFTWARE. (Contract No. 2023-0762)

Art Nevarez, Director, Information Technology Department (915) 255-0748

- N. Approve and authorize the County Judge to sign the agreement between the County of El Paso and Sequel Data Systems for the maintenance and support of the County's digital storage for the total amount of \$31,038.80 for the next twelve months. Funding is available in GF-ITD-MAINT/REP-HARDWARE. (Contract No. 2023-0807) Art Nevarez, Director, Information Technology Department (915) 255-0748
- O. Approve and authorize the County Judge to sign the Application for Special Privilege Permits and Licenses between the County of El Paso and New IPS, Inc. for the permit required by the City of El Paso to construct fiber optics on City right-of-ways. There is no fiscal impact. (Contract No. 2023-0919)

 Art Nevarez, Director, Information Technology Department (915) 255-0748
- P. Approve and authorize the County Judge to sign Amendment One to the Interlocal Cooperation Contract between Presidio County and El Paso County for the 2022 Texas Community Development Grant TxCDBG Colonia Funds: Planning and Needs Assessment grant services for Colonias. The amendment seeks to prolong the contractual termination date until September 30, 2027. No County funds required. (Contract No. 2023-0717) Michael McElroy, Director, Planning & Development Department (915) 273-3330
- Q. Approve and adopt the revised 2023 Title VI Plan as required by the Federal Transit Administration (FTA) for grant funding recipients, and further authorize the County Judge to sign the El Paso County Transit Title VI Plan Resolution. (Contract No. 2023-0839)

 Michael McElroy, Director, Planning & Development Department (915) 546-2015
- R. Approve and authorize the County Judge to sign Task Order No. 9, "El Paso County Best Practices Research, Technical Assistance, and Evaluation for Outsourcing Fixed Route and Demand Response Service" with the Texas A&M Transportation Institute (TTI) from December 1, 2023, to March 31, 2025, in the amount of \$217,000. Funds are available in GF-TRANSIT TTI STUDY-PROF SVC. (Contract No. 2023-0955) Michael McElroy, Director, Planning & Development Department (915) 546-2015
- S. Approve and authorize the County Judge to sign the Interlocal Agreement Project Development Agreement for the El Paso County Transit Facility Project for land acquisition, engineering and administration services with the Camino Real Regional Mobility Authority (CRRMA) in the amount of \$2,022,259. Funding is available in GF-EPCMP-CAP PROJ-LAND. (Contract No. 2023-0956) (Countywide) Michael McElroy, Director, Planning & Development Department (915) 546-2015
- T. Approve and authorize the County Judge to sign the Interlocal Public Service Transit and Contribution Agreement for FY 2024 with the El Paso Area Transportation Services, Local Government Corporation (EPATS, LGC) from October 1, 2023, through September 30, 2024 in the amount of \$169,300. Funding is available in GFTRANSIT-PROF SVC-GEN. (Contract No. 2023-0957) Michael McElroy, Director, Planning & Development Department (915) 546-2015
- U. Approve and authorize the County Judge to sign the Sixth Amendment to the Interlocal Agreement / Project Development Agreement for the John Hayes Street Extension Project Phase 1, administered by the Camino Real Regional Mobility Authority (CRRMA). This amendment will allow the County to release a single payment to the CRRMA for the funding required for the construction phase of the project. This includes the County match as per agreement with the Texas Department of Transportation (TXDOT). Funds in the amount of \$2,701,490.14 are available in GF-EPCMP-XFER OUT-GRANT MATCH, CP-TN22-HAYES-CONSTRUCTION, CP-TN22-HAYES-PROF SVCS. (Contract No. 2023-0959) (Precinct 3) Michael McElroy, Director, Planning and Development Department (915) 273-3330
- V. Approve and authorize the County Judge to sign the Release of Obligation for improvements located in Emerald Heights Unit 5 subdivision (Instrument No. LICX1177018). Further, accept the identified improvements into the County of El Paso Road System for maintenance.

 Michael McElroy, Director, Planning & Development Department (915) 273-3330

- W. Approve and accept the renaming of Darrington Eastlake Commercial Unit Three Subdivision to Darrington Eastlake Commercial Unit Three Replat A Subdivision pursuant to requirements of the Texas Local Government Code §232.041 (Revision of Plat). Further, authorize the filing and recording of the subdivision plat. Michael McElroy, Director, Planning & Development Department (915) 273-3330
- X. Approve and accept the revision of Gateway Estates Unit One subdivision to be named Gateway Estates Unit One Replat K, pursuant to requirements of the Texas Local Government Code §232.041 (Revision of Plat); further authorize the filing and recording of the subdivision plat.

 Michael McElroy, Director, Planning & Development Department (915) 273-3330
- Y. Approve and accept the revision of Homestead Meadows Subdivision to be named Homestead Meadows Replat C Subdivision pursuant to requirements of the Texas Local Government Code §232.041 (Revision of Plat); further, authorize the filing and recording of the subdivision plat.

 Michael McElroy, Director, Planning & Development Department (915) 273-3330
- Z. Pursuant to Texas Local Government Sections 232.028 and 232.029, approve and authorize the issuance of certification regarding compliance with applicable plat requirements as provided on the attached listing. Michael McElroy, Director, Planning & Development Department (915) 273-3330
- AA. Approve and authorize the Single Source Purchase of As-Needed Additional M365-Microsoft Enterprise Licensing for Information Technology Department from Software One, Inc of Waukesha, Wisconsin for the remaining contract term. Funds are available in GF-ITD-MAINT/REP-SOFTWARE. Pursuant to Texas Local Government Code Section 262.024 (c), as a single source item, it is exempt from the provisions of the County Purchasing Act. Single Source will be re-evaluated as required to ensure compliance with statute. Karen L. Davidson, Purchasing Agent, Purchasing Department (915) 273-3349
- AB. Approve the purchase of Asset Management Software for Information Technology Department using Sourcewell 090320-SDI awarded to Brightly Software, Inc. of Cary, North Carolina for two-year grand total of \$193,830.73. Purchasing approved on November 20, 2023. Funding is available in GF-ITD-MAINT/REP-SOFTWARE.

Karen L. Davidson, Purchasing Agent, Purchasing Department (915) 273-3349

AC. **PULLED FOR DISCUSSION BY COMMISSIONER HOLGUIN -** Approve the purchase of Leasing of Printers and Equipment for the Print Center of the Purchasing Department using the DIR Contract DIR-CPO-4437 awarded to Canon U.S.A., Inc., with Spectrum Imaging Technologies, Inc. as the authorized dealer, distributor, or reseller relative to the equipment, products, or services offered under DIR-CPO-4437, in the amount of \$9,797.14 monthly; \$117,565.68 yearly; total 60-month term \$587,828.40. Funding is available in GF-PURCHASING -PRINT - RENT/LEASE.

Karen L. Davidson, Purchasing Agent, Purchasing Department (915) 273-3349

- AD. Approve the purchase of As-Needed Janitorial Supplies for the County of El Paso using Region 19 Contract 21-7392; 20-7373; 22-7434; 21-7420, Omnia Partners Contract 192163, Texas Smart Buy Contract TXMAS-485-S1; 486-S1; 505-S1, and Buyboard Contract 669-22 to awarded vendors as listed below. Funding is available through various County department accounts. Purchasing approved on 11/20/2023. Karen L. Davidson, Purchasing Agent, Purchasing Department (915) 273-3349
- AE. Approve and authorize the Purchasing Department to hold periodic online surplus auctions using Public Surplus, approved to run between January 1, 2024, through September 30, 2024, as needed. Karen L. Davidson, Purchasing Agent, Purchasing Department (915) 273-3349
- AF. Approve and authorize the transfer and removal of surplus assets from the respective departments to the Purchasing Department in compliance with Texas Local Government Code Section 262.011(j). See attachment. Karen L. Davidson, Purchasing Agent, Purchasing Department (915) 273-3349
- AG. Pursuant to Article 59.06(g) of the Code of Criminal Procedures, approve and authorize the Chapter 59 Asset Forfeiture and Seizure Reports as submitted by the El Paso Border Crime Initiative (2023-0939), El Paso Metro Task Force (2023-0940), El Paso County Metro Criminal Enterprise Unit (2023-0941) for the reporting period of October 1, 2022, through September 30, 2023. This certification is completed annually and reports funds received and how those funds were spent to the Office of the Attorney General.

 Sheriff Richard D. Wiles, El Paso County Sheriff's Office (915) 546-2262

AH. Pursuant to Article 59.06(g) of the Code of Criminal Procedures, approve and authorize the Chapter 59 Asset Forfeiture report for FY 2023-2024 for the El Paso County Sheriff's Office. This certification is completed annually, and reports funds received and how those funds were spent to the Office of the Attorney General of the State of Texas. (Contract No. 2023-0979)

Sheriff Richard D. Wiles, El Paso County Sheriff's Office (915) 546-2262

- Al. Approve and authorize the County Judge to sign the FY 2024 Equitable Sharing Agreement and Certification Report for submission to the Department of Justice by Law Enforcement Agency. (Contract No. 2023-0980) Sheriff Richard D. Wiles, El Paso County Sheriff's Office (915) 546-2262
- AJ. Approve and authorize the use of County general funds to temporarily pay for grant-funded personnel and operating expenses in the amount of \$82,221 from December 9, 2023, through January 20, 2024, or until the pending State grant award for FY24 Victim Assistance, General Victim Assistance Direct Services Program is received and accepted. Funding is available in GF-GADM-XFER OUT-GRANT MATCH.

 Jessica C. Garza, Interim Director, Budget & Finance Department (915) 546-2262
- AK. GRANT AWARD Rescind the Commissioners Court Order of August 28, 2023, Item 4B on the Consent Agenda to approve and authorize the County Judge to sign the Interlocal Agreement Conducting Evaluation of After-Hours Childcare Needs in the El Paso Region with Workforce Solutions Borderplex in the amount of \$30,000. Further, approve and authorize the County Judge to sign the updated Interlocal Agreement for Conducting Evaluation of After-Hours Childcare Needs in the El Paso Region with Workforce Solutions Borderplex, including the final payment and disbursement schedule, in the amount of \$30,000. Funding is available in SG-GICMAEMO23-OPERATING EXP. (Contract No. 2023-0591)

Jose M. Landeros, Director of Strategic Development, County Administration Department (915) 546-2159

AL. GRANT APPLICATION - Approve and authorize the District Attorney's Office to apply for the Texas Department of Transportation FY25 Traffic Safety General Grant from October 1, 2024, to September 30, 2025, in the amount of \$49,990. A County Match in the amount of \$16,276.07 is required for a total grant application in the amount of \$66,266.07. (Contract No. 2023-0967)

Bill D. Hicks, District Attorney, District Attorney's Office (915) 546-2059

AM. GRANT AWARD - Approve and authorize the County Judge to accept the Office of the Governor Body Worn Camera Program grant on behalf of the El Paso County Sheriff's Department in the amount of \$22,500 from September 1, 2023, through August 31, 2024. A match in the amount of \$7,500 is required and is available in GF-SOLAW-OPS EQUIPMENT. (Contract No. 2023-0977)

Sheriff Richard D. Wiles, El Paso County Sheriff's Office (915) 538-2234

MOTION: APPROVE

Motion by County Judge Samaniego Members Seconded by Commissioner Holguin Members Absent:

Members Voting Aye: Judge Samaniego, Leon, Stout, Holguin Members Absent: Coronado Members Voting Nay: None

5. **RESOLUTIONS**

A. Approve and adopt a resolution congratulating the winners of the 2024 "I Voted" Sticker Contest, in El Paso County, Texas.

Ricardo A. Samaniego, County Judge, Commissioners Court (915) 546-2098

MOTION: APPROVE

Motion by County Judge Samaniego Members Voting Aye: Judge Samaniego, Leon, Stout, Holguin Seconded by Commissioner Stout Members Absent: Coronado Members Voting Nay: None

B. Approve and adopt a resolution celebrating the El Paso Veterans & Riders Association's Anniversary in El Paso County, Texas.

Ricardo A. Samaniego, County Judge, Commissioners Court (915) 546-2098

MOTION: APPROVE

Motion by County Judge Samaniego Members Voting Aye: Judge Samaniego, Leon, Stout, Holguin Seconded by Commissioner Holguin Members Absent: Coronado Members Voting Nay: None

6. PUBLIC COMMENT

Elizabeth Crawford addressed the Commissioners Court regarding the Season of Advent.

18. INTO EXECUTIVE SESSION AT 10:18 A.M.

- A. Discuss findings regarding persons necessary in Executive Session. County Attorney's Office (915) 546-2050
- G. Pursuant to Texas Government Code section 551.087, discuss financial information and economic development negotiations received regarding Chapter 312 and 381 Agreements with Project Seafox, a private business prospect.

Roberto Ransom, Director, Economic Development Department (915) 546-3182

REGULAR SESSION RECONVENED AT 10:42 A.M.

ECONOMIC DEVELOPMENT

13. Pursuant to Texas Tax Code Sec. 312.002(b), approve and adopt a resolution regarding a proposed tax abatement agreement with Wurldwide, LLC to 1) state the County elects to become eligible to participate in tax abatement in the City of El Paso Tax Reinvestment Zone No. 1 and 2) determine that the terms of the proposed abatement agreement and the property subject to the agreement meet the applicable County guidelines and criteria adopted, and as amended, on November 6, 2023. (Contract No. 2023-0961)

Jose M. Landeros, Director of Strategic Development, County Administration Department (915) 546-2159

MOTION: APPROVE

Motion by County Judge Samaniego Members Voting Aye: Judge Samaniego, Leon, Stout, Holguin Seconded by Commissioner Leon Members Absent: Coronado Members Voting Nay: None

14. Approve and authorize the County Judge to execute the tax abatement agreement with Wurldwide, LLC, a private business prospect and project located in the City of El Paso's Reinvestment Zone No. 1, which consists of approximately 1,038 acres located in Northeast El Paso, containing parcels X58099910300020 and X58099910400000, for development of an \$800,000,000 data center operation, in accordance with Texas Tax Code Sec. 312.402. Further, notice of this abatement agreement was posted on November 2, 2023 in accordance with Texas Tax Code Sec. 312.204. (Contract No. 2023-0915)

Jose M. Landeros, Director of Strategic Development, County Administration Department (915) 546-2159

MOTION: APPROVE

Motion by Commissioner Stout Members Voting Aye: Judge Samaniego, Leon, Stout, Holguin Seconded by County Judge Samaniego Members Absent: Coronado Members Voting Nay: None

15. **CORRECTION PER COUNTY ATTORNEY'S OFFICE -** Approve and authorize the County Judge to execute the economic development agreement with Wurldwide, LLC, a private business prospect and project located in the City of El Paso's Reinvestment Zone No. 1, in accordance with Texas **LOCAL GOVERNMENT** Code Chapter 381 (Contract No. 2023-0916).

Jose M. Landeros, Director of Strategic Development, County Administration Department (915) 546-2159

MOTION: APPROVE

Motion by County Judge Samaniego Members Voting Aye: Judge Samaniego, Leon, Stout, Holguin Seconded by Commissioner Leon Members Absent: Coronado Members Voting Nay: None

18. INTO EXECUTIVE SESSION AT 11:02 A.M.

- A. Discuss findings regarding persons necessary in Executive Session. County Attorney's Office (915) 546-2050
- B. Pursuant to Texas Government Code §551.074, discuss selection process concerning County Criminal Court at Law 1 Judge.

Betsy C. Keller, CM, Chief Administrator, County Administration Department (915) 546-2215

REGULAR SESSION RECONVENED AT 11:31 A.M.

5. RESOLUTIONS

C. Approve and adopt a resolution recognizing the finalists selected for the Healing Garden Mural Artist Competition, in El Paso County, Texas.

Ricardo A. Samaniego, County Judge, Commissioners Court (915) 546-2098

MOTION: APPROVE

Motion by County Judge Samaniego Members Voting Aye: Judge Samaniego, Leon, Stout, Holguin Seconded by Commissioner Holguin Members Absent: Coronado Members Voting Nay: None

MEETING RECESSED AT 12:02 P.M.

MEETING RECONVENED AT 1:14 P.M.

REGULAR AGENDA

7. Receive a presentation from the El Paso Chamber's Mobility Coalition. Further, discuss and take appropriate action regarding the selection of County representation to the Coalition.

Jose M. Landeros, Director of Strategic Development, County Administration Department (915) 546-2159

MOTION: DELETE

Motion by County Judge Samaniego Members Voting Aye: Judge Samaniego, Leon, Stout, Holguin Seconded by Commissioner Holguin Members Absent: Coronado Members Voting Nay: None

8. Receive an update from the Camino Real Regional Mobility Authority regarding the Pellicano Widening Project. (TxDOT CSJ 0924-06-534)

Norma Palacios, Director, Public Works Department (915) 273-3330

PRESENTATION RECEIVED

ITEMS PULLED FOR DISCUSSION FROM THE CONSENT AGENDA

4H. PULLED FOR DISCUSSION BY COMMISSIONER HOLGUIN - Approve and authorize the Chief Administrator to review and approve events that extend past the end date of the County's current agreement in accordance with Article 7.2 of the Facilities Management Agreement with the El Paso Sports Commission. Melissa M. Carrillo, PHR, Executive Director, County Operations Department (915) 546-2162

NO ACTION

COMMISSIONERS COURT

9. Receive a presentation from the County Judge's Office and the Communications Division regarding the Veterans Capital of the USA.

Ricardo A. Samaniego, County Judge, Commissioners Court (915) 546-2098

PRESENTATION RECEIVED

REGULAR SESSION

19. Discuss and take appropriate action to appoint a candidate for County Criminal Court at Law 1 Judge. Betsy C. Keller, CM, Chief Administrator, County Administration Department (915) 546-2215

MOTION: APPOINT LINDA PEREZ AS THE COUNTY CRIMINAL COURT AT LAW 1 JUDGE, FOR THE UNEXPIRED TERM OF JUDGE ALMA TREJO, AND UNTIL A SUCCESSOR IS ELECTED AT THE NEXT GENERAL ELECTION AND HAS QUALIFIED. THE APPOINTMENT SHALL BE EFFECTIVE MONDAY, DECEMBER 18, 2023.

Motion by County Judge Samaniego Seconded by Commissioner Leon Members Voting Aye: Judge Samaniego, Leon, Stout, Holguin Members Absent: Coronado Members Voting Nay: None

COUNTY ADMINISTRATION

10. Discuss and take appropriate action regarding the Texas 88th Fourth Special Legislative Session, as well as the State's Broadband Development Office Public Comment period, to include presenting information for the Court's consideration, removing or including bills on the County's state legislative agenda and supporting or opposing filed legislation, and take any action necessary on aforementioned items.

Melissa M. Carrillo, PHR, Executive Director, County Operations Department (915) 546-2162

MOTION: APPROVE THE SUBMISSION OF THE LETTER AND PUBLIC COMMENT PERIOD INCLUDING THE REPORT THAT WAS REFERENCED TO THE TEXAS BROADBAND OFFICE (BDO)

Motion by Commissioner Holguin Members Voting Aye: Judge Samaniego, Leon, Stout, Holguin Seconded by Commissioner Stout Members Absent: Coronado Members Voting Nay: None

AUDITOR

11. Pursuant to the Texas Local Government Code § 114.023, 114.024, 114.025 and 114.026, please accept the attached presentation and the interim financial report for the month ended October 31, 2023. The interim financial report is located on the intranet at: http://www.epcountytx.gov/auditor/publications/monthlyreports.htm . Barbara Parker, County Auditor, County Auditor's Office (915) 273-3262

MOTION: ACCEPT

Motion by Commissioner Stout Members Voting Aye: Judge Samaniego, Leon, Stout, Holguin Seconded by Commissioner Holguin Members Absent: Coronado Members Voting Nay: None

12. Pursuant to the Texas Government Code, Title 10, § 2256.003, accept the attached investment report for the fourth quarter ended September 2023.

Barbara Parker, County Auditor, County Auditor's Office (915) 273-3262

MOTION: ACCEPT

Motion by County Judge Samaniego Members Voting Aye: Judge Samaniego, Leon, Stout, Holguin Seconded by Commissioner Holguin Members Absent: Coronado Members Voting Nay: None

BUDGET AND FINANCE

- 16. Discuss and take appropriate action regarding proposed amendments to the 2023 Tax Anticipate Note Series C list of projects as well as the General Fund El Paso County Mobility Plan.

 Jose M. Landeros, Director of Strategic Development, County Administration Department (915) 546-2159
- 17. Approve and authorize reallocation of Tax Note 2023C funds.

 Jessica C. Garza, Interim Director, Budget & Finance Department (915) 546-2262

MOTION: APPROVE AND AUTHORIZE THE TRANSFER OF \$194,759 FROM GF-EPCMP-PROF SVC-GEN TO GF-EPCMP-CAP PROJ-LAND AND AUTHORIZE THE NEWLY ESTABLISHEDBUDGET TO BE USED FOR THE ACQUISITION OF LAND NECESSARY FOR A FUTURE COUNTY TRANSIT FACILITY.

FURTHER, APPROVE AND AUTHORIZE THE FOLLOWING AMENDMENTS TO THE 2023 TAX ANTICIPATION NOTE SERIES C PROJECT LISTING

- DEPROGRAM THE MAJOR CAPITAL PRELIMINARY ENGINEERING PROJECT BY \$1M
- REDUCE THE FIRST AVE STORMWATER PROJECT BY \$1M
- PROGRAM TIERRA DE ESTE RIGHT-OF-WAY PROJECT WITH A BUDGET OF \$1,327,500
- PROGRAM JOHN HAYES RIGHT-OF-WAY PROJECT WITH A BUDGET OF \$500,000
- PROGRAM TORNILLO SHARED USE PATH PROJECT WITH A BUDGET OF \$194,759

Motion by Commissioner Holguin
Seconded by County Judge Samaniego
Members Voting Aye: Judge Samaniego, Leon, Stout, Holguin
Members Absent: Coronado
Members Voting Nay: None

ITEMS PULLED FOR DISCUSSION FROM THE CONSENT AGENDA

4E. PULLED FOR DISCUSSION BY COMMISSIONER HOLGUIN - Approve amendment No. 49 & 51 to the County of El Paso's 2022-2023 operating budget. This budgetary amendment will decrease Grants by \$662,672.05, thus decreasing the overall budget of \$778,198,555.22 to \$777,535,883.17.

Jessica C. Garza, Interim Director, Budget & Finance Department (915) 546-2262

MOTION: APPROVE

Motion by Commissioner Holguin

Members Voting Aye: Judge Samaniego, Leon, Stout, Holguin

Seconded by County Judge Samaniego

Members Absent: Coronado

Members Voting Nay: None

4AC. PULLED FOR DISCUSSION BY COMMISSIONER HOLGUIN - Approve the purchase of Leasing of Printers and Equipment for the Print Center of the Purchasing Department using the DIR Contract DIR-CPO-4437 awarded to Canon U.S.A., Inc., with Spectrum Imaging Technologies, Inc. as the authorized dealer, distributor, or reseller relative to the equipment, products, or services offered under DIR-CPO-4437, in the amount of \$9,797.14 monthly; \$117,565.68 yearly; total 60-month term \$587,828.40. Funding is available in GF-PURCHASING -PRINT - RENT/LEASE.

Karen L. Davidson, Purchasing Agent, Purchasing Department (915) 273-3349

MOTION: APPROVE

Motion by Commissioner Holguin

Members Voting Aye: Judge Samaniego, Leon, Stout, Holguin

Seconded by County Judge Samaniego

Members Absent: Coronado

Members Voting Nay: None

18. INTO EXECUTIVE SESSION AT 4:03 P.M.

- A. Discuss findings regarding persons necessary in Executive Session. County Attorney's Office (915) 546-2050
- C. Pursuant to Texas Government Code Section 551.071, receive legal advice and consultation regarding the Pellicano Drive Widening Project.

 Jo Anne Bernal, County Attorney, County Attorney's Office (915) 273-3238
- D. Pursuant to Texas Government Code Section 551.071, discuss and receive legal advice concerning the County's rights and responsibilities under the Collective Bargaining Agreement with the El Paso County Sheriff's Officers' Association.

Ana Schumacher, Assistant County Attorney, County Attorney's Office (915) 546-2050

E. Discuss legal rights and responsibilities concerning the recent fires at a business located in the Montana Vista area of El Paso County, County Attorney's File No. 0166-23-AA, Pursuant to the Texas Government Code Section 551.071.

Bernardo R. Cruz, Assistant County Attorney, County Attorney's Office (915) 273-3247

F. CORRECTION PER COUNTY ATTORNEY'S OFFICE - Discuss the pending litigation regarding KRYSTAL MIJARES AND Melissa Alvarado (Ruiz) v. County of El Paso, cause number 2016DCV0573; County Attorney number 0055-16-LD, pursuant to Texas Government Code Section 551.071.

Michael Gomez, Assistant County Attorney, County Attorney's Office, (915) 273-3247

REGULAR SESSION RECONVENED AT 6:13 P.M.

20. Discuss and take appropriate action regarding our legal rights and responsibilities concerning the recent fires at a business located in the Montana Vista area of El Paso County, County Attorney's File No. 0166-23-AA. Bernardo R. Cruz, Assistant County Attorney, County Attorney's Office (915) 273-3247

NO ACTION

21. Discuss and take action on the litigation regarding Krystal Mijares and Melissa Alvarado (Ruiz) v. County of El Paso, cause number 2016DCV0573; County Attorney number 0055-16-LD. Michael Gomez, Assistant County Attorney, County Attorney's Office (915) 273-3247

MOTION: AUTHORIZE THE COUNTY JUDGE TO EXECUTE THE SETTLEMENT AGREEMENT AS DISCUSSED IN EXECUTIVE SESSION.

Motion by Commissioner Holguin Seconded by County Judge Samaniego Members Voting Aye: Judge Samaniego, Leon, Stout, Holguin Members Absent: Coronado Members Voting Nay: None

MEETING ADJOURNED AT 6:15 P.M.

EL PASO COUNTY COMMISSIONERS COURT

CARLOS LEON Commissioner, Pct. 1

ILIANA HOLGUIN Commissioner, Pct. 3

ATTEST:



DAVID STOUT Commissioner, Pct. 2

SERGIO CORONADO Commissioner, Pct. 4

RICARDO A. SAMANIEGO County Judge

Commissioners Court Chambers, El Paso County Courthouse 500 East San Antonio Room 303 El Paso, Texas 79901 Website address: http://www.epcounty.com View live video webcast: http://epcounty.com/video

COMMISSIONERS COURT REGULAR MEETING MINUTES MONDAY, DECEMBER 4, 2023

MEETING ADJOURNED AT 6:15 P.M.

DELIA BRIONES, COUNTY CLERK EL PASO COUNTY, TEXAS
JESSICA DOMINGUEZ, DEPUTY CLERK CESAR O. NAVA, DEPUTY CLERK
EXAMINED AND APPROVED BY ME THIS DAY OF, 2023
COUNTY JUDGE RICARDO A. SAMANIEGO, PRESIDING