

**EL PASO COUNTY
COMMISSIONERS COURT**

CARLOS LEON
Commissioner, Pct. 1

VINCENT PEREZ
Commissioner, Pct. 3



DAVID STOUT
Commissioner, Pct. 2

ANDREW R. HAGGERTY
Commissioner, Pct. 4

RUBEN JOHN VOGT
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, FEBRUARY 5, 2018**

HON. RUBEN JOHN VOGT	COUNTY JUDGE, PRESIDING	PRESENT
CARLOS LEON	COMMISSIONER, PCT #1	PRESENT
DAVID STOUT	COMMISSIONER, PCT #2	PRESENT
VINCENT M. PEREZ	COMMISSIONER, PCT #3	PRESENT
ANDREW R. HAGGERTY	COMMISSIONER, PCT #4	PRESENT

MINUTES PREPARED BY PATRICIA PIETZYK, DEPUTY CLERK

1. MEETING CONVENED

Commissioners Court of El Paso County, Texas was called to order by the Deputy Clerk at 9:31 a.m.

2. PLEDGE OF ALLEGIANCE

3. CONSENT AGENDA

A. Approval of the Minutes of the special meeting of January 25, 2018.
County Administration Department (915) 546-2215

B. 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.
Edward A. Dion, County Auditor, County Auditor's Office (915) 546-2040

C. Approve and authorize the County Judge to sign the New Memorandum of Understanding with vendor, Professional Document Systems Inc, CSC, And The Gardner Law Firm, A Professional Corporation d/b/a Gardner Law, for e-filing and recording of documents for the County Clerk's Office. Reviewed by the County Attorney's Office (Contract No. 2017-0750). As per recommendation from the County Attorney's Office, this contract is to continue on automatic renewal.
Delia Briones, County Clerk, County Clerk's Office (915) 546-2071

Minutes of the El Paso County Commissioners Court, February 5, 2018

D. Approve the Insurance Policy (Contract No. 2018-0004) and related documents with Travelers Insurance Company for the County's Crime Insurance Coverage for FY 2018. Funding is available in GADM-INS-GEN/PROPERTY.

Melissa M. Carrillo, PHR, Chief Human Resources Officer, Human Resources Department (915) 546-2218

E. Approve the Tenant User Liability Insurance Policy (TULIP) Contract No. 2018-0043 with OneBeacon Insurance Company as proposed by USI Southwest, Inc. for FY 2018. TULIP allows Ascarate Park event organizers or private individuals the ability to obtain general liability insurance coverage using an online system.

Melissa M. Carrillo, PHR, Chief Human Resources Officer, Human Resources Department (915) 546-2218

F. Approve and authorize the County Judge to sign the agreement for the provision of polygraph examination services with Southwest Polygraph for the El Paso County Juvenile Probation Department from December 1, 2017 through November 30, 2018. Funding is available in SR-JPDSUP-PROF SVC-GEN. (Contract No. 2017-0884).

Roger Martinez, Chief Juvenile Probation Officer, Juvenile Probation Dept. (915) 849-2500

G. Approve and authorize the County Judge to sign the Exercise of Option to Renew Agreement with Cardtronics USA, Inc. for an additional three year term (Contract No. 2017-0862). Funds will be deposited in GF-FACILITIES-RENTALS/LEASES.

Norma R. Palacios, Interim Public Works Director, Public Works Department (915) 546-2015

H. Approve the Certificates of Plat Compliance (under Texas Local Government Code Section 232.028(a), as provided on the attached listing.

Norma R. Palacios, Interim Public Works Director, Public Works Department (915) 546-2015

I. Approve and authorize the determination of the Public Works Director, pursuant to the County Real Property Donation Policy, to not accept the donations of Real Property as follows: Lot 91, 448 Mountain Shadow Estates #63 (Herkin Place); Lot 6, 449 Mountain Shadow Estates #63 (Naumberg Street); Lot 5, 452 Horizon City #59 (Bouvina Avenue).

Norma R. Palacios, Interim Public Works Director, Public Works Department (915) 546-2015

J. Authorize the County Judge to sign Amendment #2 for Task Order #3 with the Texas Transportation Institute (TTI) for the El Paso County Transit Feasibility Study (Contract No. 2018-0014).

Norma R. Palacios, Interim Public Works Director, Public Works Department (915) 546-2015

K. 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.

Debra Carrejo, CPPO, CPPB, Purchasing Agent, El Paso County Purchasing Dept. (915) 546-2048

L. Quarterly Report from the Chief Administrator's Office

Betsy C. Keller, ICMA-CMC, Chief Administrator, County Administration (915) 546-2215

M. Quarterly Report from the Juvenile Probation Department

Roger Martinez, Chief Juvenile Probation Officer, Juvenile Probation Department (915) 849- 2500

MOTION: APPROVED

Motion made by County Judge Vogt

Seconded by Commissioner Leon

Members Voting Aye: Judge Vogt, Leon, Stout, Perez, Haggerty

Members Voting Nay: None

4. RESOLUTIONS

A. Approve and adopt a resolution recognizing the month of February 2018 as "Black History Month" in El Paso County.

David Stout, Commissioner, Pct. 2 (915) 546-2111

MOTION: APPROVED

Motion made by Commissioner Stout

Seconded by Commissioner Haggerty

Members Voting Aye: Judge Vogt, Leon, Stout, Perez, Haggerty

Members Voting Nay: None

B. Approve and adopt a resolution declaring February 25, 2018 as "Harriet Tubman Day" in El Paso County, Texas.

Ruben J. Vogt, County Judge, Commissioners Court (915) 546-2098

MOTION: APPROVED

Motion made by County Judge Vogt
Seconded by Commissioner Stout

Members Voting Aye: Judge Vogt, Leon, Stout, Perez, Haggerty
Members Voting Nay: None

5. PUBLIC COMMENT

Steven A. Strumer, concerned citizen, offered comments about critical thinking questions prior to voting, and people moving to Sunland Park.

Norma Rivera Palacios, Interim Public Works Director, introduced the new Parks and Events Director, Veronica Myers.

Darrell Mond, concerned citizen, commented on support for veterans.

Pierre Andre Euzarraga, concerned citizen, offered comments regarding the legalization of marijuana.

BOARD APPOINTMENTS

6. Discuss and take appropriate action to reappoint Gerardo Sanchez to the Emergency Service District #1 for a 2-year term beginning January 1, 2018 through December 31, 2019.

Betsy C. Keller, ICMA-CMC, Chief Administrator, County Administration, - (915)546-2215

MOTION: APPROVED

Motion made by County Judge Vogt
Seconded by Commissioner Leon

Members Voting Aye: Judge Vogt, Leon, Stout, Haggerty
Members Voting Nay: None
Members Not Present: Perez

7. Discuss and take appropriate action to reappoint Michael Diaz and Adrian Santana to the Emergency Service District #2 for a 2-year term beginning January 1, 2018 through December 31, 2019.

Betsy C. Keller, ICMA-CMC, Chief Administrator, County Administration (915) 546-2215

MOTION: POSTPONED FOR ONE WEEK

Motion made by Commissioner Stout
Seconded by Commissioner Haggerty

Members Voting Aye: Judge Vogt, Leon, Stout, Haggerty
Members Voting Nay: None
Members Not Present: Perez

COUNTY ADMINISTRATION

8. Discuss the scheduling of Thursday Special Commissioners Court meetings.

Betsy C. Keller, ICMA-CMC, Chief Administrator, County Administration (915) 546-2215

NO ACTION

AUDITOR

9. Approve and authorize the County Judge to sign the proposed Exercise of Options to Renew Agreement for bond counsel services with McCall, Parkhurst and Horton L.L.P for the contract period from March 9, 2018 to March 9, 2019 (Contract No. 2018-0030). Account number to be determined at time of issuance of bonds.

Edward A. Dion, County Auditor, CPA, County Auditor's Office (915) 546-2040

MOTION: APPROVED

Motion made by County Judge Vogt
Seconded by Commissioner Leon

Members Voting Aye: Judge Vogt, Leon, Stout, Haggerty
Members Voting Nay: None
Members Not Present: Perez

LITIGATION, JUSTICE, AND LAW ENFORCEMENT

10. Approve and authorize the County Judge to sign the Agency Agreement with LeadsOnline, LLC, to provide electronic reporting and criminal investigation services to the El Paso County Sheriff's Office. Effective January 1, 2018 through December 31, 2020. Funds are available in account: GF-SOPATROL-MAINT/REP-SOFTWARE (Contract No. 2018-0034).

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

MOTION: APPROVED

Motion made by Commissioner Stout
Seconded by Commissioner Haggerty

Members Voting Aye: Judge Vogt, Leon, Stout, Haggerty
Members Voting Nay: None
Members Not Present: Perez

11. Approve and authorize the County Judge to sign the Sales Agreement with Morpho Trak, LLC for the purchase of MorphoDent mobile identity check devices and one-year post-warranty maintenance. The contract is effective beginning January 29, 2018 through January 28, 2020. Funds are available in the EP COUNTY MOBILE ID SYSTEM 2018 Grant. (Contract No. 2018-0033).

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

MOTION: APPROVED

Motion made by Commissioner Leon
Seconded by Commissioner Haggerty

Members Voting Aye: Judge Vogt, Leon, Stout, Haggerty
Members Voting Nay: None
Members Not Present: Perez

ECONOMIC DEVELOPMENT

12. Approve and authorize the County Judge to sign a funding agreement with the Texas Preservation Trust Fund, fiscal year 2018, for the CASA RONQUILLO project, to be submitted by February 9, 2018. Funding is available in SR-TOURPROM-CASA RONQUILLO (Contract No. 2018-0036).

Jose Quinonez, Economic Development Department (915) 546-2177

MOTION: APPROVED

Motion made by County Judge Vogt
Seconded by Commissioner Stout

Members Voting Aye: Judge Vogt, Leon, Stout, Haggerty
Members Voting Nay: None
Members Not Present: Perez

HEALTH AND SOCIAL SERVICES

13. Approve and authorize the County Judge to execute a grant agreement in the amount of \$160,000 from the Department of Housing and Urban Development (HUD) Continuum of Care (CoC) Homeless Assistance Program for Coordinated Assessment, and further authorize the Purchasing Department to issue an RFP to select a sub-recipient to provide the services under this grant contract (Contract No. 2018-0003).

Irene G. Valenzuela, Executive Director, Community Service Department (915) 775-2708

MOTION: DELETED

Motion made by Commissioner Leon
Seconded by Commissioner Stout

Members Voting Aye: Judge Vogt, Leon, Stout, Haggerty
Members Voting Nay: None
Members Not Present: Perez

PUBLIC WORKS

14. Receive a presentation on the Southern New Mexico – El Paso Joint Land Use Study website.

Norma R. Palacios, Interim Public Works Director, Public Works Department (915) 546-2015

RECEIVED PRESENTATION

15. Approve and authorize the County Judge to sign an agreement between the County of El Paso and El Paso Disposal, LP, from El Paso for solid waste and recycling services at multiple County locations for a five (5) year contract term (Contract No. 2017-0919).

Norma Rivera Palacios, Interim Public Works Director, Public Works Department (915) 546- 2015

MOTION: APPROVED

Motion made by Commissioner Leon
Seconded by County Judge Vogt

Members Voting Aye: Judge Vogt, Leon, Stout, Haggerty
Members Voting Nay: None
Members Not Present: Perez

16. Approve and authorize the County Judge to sign the contract between the County of El Paso and T-Dyne Contractors, L.L.C., to replace a water heater and two water storage tanks at the Jail Annex (Contract No. 2017-0819). Funding is available in CIP17- PWSOJAILAMNT-RENOVATIONS.

Norma R. Palacios, Interim Public Works Director, Public Works Department (915) 546-2015

MOTION: APPROVED

Motion made by Commissioner Stout
Seconded by County Judge Vogt

Members Voting Aye: Judge Vogt, Leon, Stout, Haggerty
Members Voting Nay: None
Members Not Present: Perez

17. Approve and authorize the County Judge to sign the Texas Department of Transportation Airport Project Participation Agreement for the Fabens Airport Business and Development Plan. Funds available in account: CP-FABAIROPORT-CAP OUT-RENOV (Contract No. 2017-0922).

Norma R. Palacios, Interim Public Works Director, Public Works Department (915) 546-2015

MOTION: APPROVED

Motion made by County Judge Vogt
Seconded by Commissioner Haggerty

Members Voting Aye: Judge Vogt, Leon, Stout, Haggerty
Members Voting Nay: None
Members Not Present: Perez

GRANT APPLICATIONS

18. Approve and authorize the Public Works Department to submit a grant application to the Texas Department of Transportation (TxDOT) for Fiscal Year (FY) 2019 Federal Transit Administration (FTA) Fleet Replacement Grant for \$310,000 with a County match of \$310,000. (Contract No. 2018-0044).

Norma R. Palacios, Interim Public Works Director, Public Works Department (915) 546-2015

MOTION: APPROVED

Motion made by Commissioner Stout
Seconded by Commissioner Leon

Members Voting Aye: Judge Vogt, Leon, Stout, Haggerty
Members Voting Nay: None
Members Not Present: Perez

BUDGET AND FINANCE

19. Approve amendment No. 17 to the County of El Paso's 2017-2018 operating budget. This budgetary amendment will increase Grants by \$284,323.91 thus increasing the overall budget of \$484,533,784.16 to \$484,818,108.07.

Wallace Hardgrove, Executive Director, Budget and Fiscal Policy Department (915) 546- 2262.

MOTION: APPROVED

Motion made by Commissioner Haggerty
Seconded by County Judge Vogt

Members Voting Aye: Judge Vogt, Leon, Stout, Haggerty
Members Voting Nay: None
Members Not Present: Perez

20. RECESSED INTO EXECUTIVE SESSION AT 10:58 a.m.

A. Discuss findings regarding persons necessary in Executive Session.

County Attorney's Office (915) 546-2050

B. Discuss financial information and economic development negotiations received from a business prospective regarding a 381 Agreement with Project 108, pursuant to Texas Government Code Section 551.087.

Jose Quinonez, Director, Economic Development Department (915) 546-2177

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C. Discuss financial information and economic development negotiations received from a business prospective regarding a 381 Agreement with Project Falcon, pursuant to Texas Government Code Section 551.087.

Jose Quiñonez, Director, Economic Development Department (915) 546-2177

D. Pursuant to section 551.071 of the Texas Government Code, obtain legal advice concerning the County's legal rights and obligations under the Agreement with Urban Associates to design and build the new unit at the Jail Annex.

Holly C. Lytle, Assistant County Attorney, County Attorney's Office (915) 538-2050

E. Discuss the pending claim submitted by Victor Castillo, County Attorney's file number 0028-18-LC, pursuant to Texas Government Code Section 551.071.

Kevin McCary, Assistant County Attorney, County Attorney's Office (915) 546-2050

F. Discuss grievance regarding Jacob L. Garcia; County Attorney's case number 0282-17-GR, pursuant to Texas Government Code Section 551.071.

Jed Untereker, Assistant County Attorney, County Attorneys Office (915) 546-2050

REGULAR SESSION RECONVENED AT 12:17 p.m.

21. Discuss and take appropriate action regarding a Chapter 381 Agreement with Project Falcon.

Jose Quiñonez, Director, Economic Development Department (915) 546-2177

NO ACTION

22. Discuss and take appropriate action concerning the Agreement with Urban Associates to build a new unit at the Jail Annex.

Holly C. Lytle, Assistant County Attorney, County Attorney's Office (915) 538-2050

NO ACTION

23. Discuss and take action on the pending claim of Victor Castillo, County Attorney's file number 0028-18-LC.

Kevin McCary, Assistant County Attorney, County Attorney's Office (915) 546-2050

MOTION: DENIED

Motion made by Commissioner Haggerty
Seconded by Commissioner Stout

Members Voting Aye: Judge Vogt, Leon, Stout, Perez, Haggerty
Members Voting Nay: None

24. Discuss and take appropriate action regarding grievance of Jacob L. Garcia, County Attorney's case number 0282-17-GR.

Jed Untereker, Assistant County Attorney, County Attorneys Office (915) 546-2050

MOTION: APPROVED, TO PAY MR. GARCIA HIS OWED BACK PAY IN THE AMOUNT OF \$13,832.12.

Motion made by Commissioner Stout
Seconded by Commissioner Perez

Members Voting Aye: Judge Vogt, Leon, Stout, Perez, Haggerty
Members Voting Nay: None

MEETING ADJOURNED AT 12:19 p.m.

**EL PASO COUNTY
COMMISSIONERS COURT**

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Commissioner, Pct. 1

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Commissioner, Pct. 3



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**COMMISSIONERS COURT REGULAR MEETING MINUTES
MONDAY, FEBRUARY 5, 2018**

MEETING ADJOURNED AT 12:19 p.m.

ATTEST:

DELIA BRIONES, COUNTY CLERK
EL PASO COUNTY, TEXAS

PATRICIA PIETZYK, DEPUTY CLERK

EXAMINED AND APPROVED BY ME THIS

_____ DAY OF _____, 2018.

COUNTY JUDGE RUBEN JOHN VOGT, PRESIDING