

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, MARCH 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 FOR CESAR O. NAVA, DEPUTY CLERK

1. MEETING CONVENED

Commissioners Court of El Paso County, Texas was called to order by the Deputy Clerk at 9:32 a.m.

2. PLEDGE OF ALLEGIANCE

3. CONSENT AGENDA

A. Approval of the Minutes of the regular meeting of February 26, 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. Pursuant to Texas Local Government Code Section 81.032, authorize El Paso County to accept monetary and in-kind donations during Fiscal Year 2018 to fund the "U.S.-Mexico Border Leaders Summit." In addition, allow donations to be processed as internal transfers to allow purchases to be completed prior to the deadline of the event dates, which will take place on April 18-19, 2018.

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

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

D. In compliance with the El Paso County Code of Ethics, pursuant to Article XIII, acknowledge the campaign contributions of \$2,500 or more for County Commissioner David Stout from each of the following: Heber Gandara and Ever Ramirez.

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

E. Approve and authorize the County Judge to sign the New Memorandum of Understanding with vendor, Professional Document Systems Inc, CSC, And ZB, N.A., for e-filing and recording of documents for the County Clerk's Office. As per recommendation from the County Attorney's Office, this contract is to continue on automatic renewal. (Contract No. 2017-0893)

Delia Briones, County Clerk, County Clerk's Office (915) 546-2071

F. PULLED FOR DISCUSSION BY COMMISSIONER LEON.

Approve and authorize the allocation of funds in the amount of \$29,450 for architectural design for the County Courthouse walkways and sidewalks. Funding is available in CP-CPCRTHSIMP12-RENOVATIONS.

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

G. In compliance with the El Paso Code of Ethics, pursuant to Article XIII, acknowledge the campaign contribution of \$2,500 or more for candidate John Cook from the following: Alfredo Corral.

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

H. In compliance with the El Paso County Code of Ethics, pursuant to Article XIII, acknowledge the campaign contributions of \$2,500 or more for candidate Ricardo A. Samaniego from each of the following: Jose A. Rosales Jr., L. Frederick Francis, Miguel Fernandez, Ricardo A. Castro, Woody Hunt, and Alicia Barajas.

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

I. 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 Director, Public Works Department (915) 546-2015

J. Approve and authorize the County Judge to sign the License Agreement with Mary D. Henselijn and Salomon Henselijn for the Vista del Sol Roadway Reconstruction Improvement Project. Funds are available in account SR-R&B-OPS EXPENSES- GEN. (Contract No. 2017-0209)

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

K. Approve and authorize the County Judge to sign the License Agreement with Peter Sutter acting by and through a Power of Attorney for Joseph Hanein for the Vista del Sol Roadway Reconstruction Improvement Project. Funds are available in account SR-R&B-OPS EXPENSES-GEN. (Contract No. 2017- 0210)

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

L. Approve and authorize the request to allocate a total of 700 square feet of space on the 3rd floor of the MDR building, located at 800 E Overland, to the Adult Probation Department, and authorize improvements to include LED conversion and hallway improvements (flooring & painting) to improve facilities. Funds are available in account CP-CPCNTYCAP12-RENOVATIONS.

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

M. Approve and authorize the request to allocate a total of 3,700 square feet of space at the Ysleta Annex, located at 9521 Socorro Rd., to the Adult Probation Department, and authorize improvements to include new flooring and a new service window to accommodate their needs. Funds are available in account CP-CPCNTYCAP12-RENOVATIONS.

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

N. Approve and authorize the request to allocate and renovate 200 square feet of space from Suite B-1, to the Constables Pct. 5 Office Suite B-2, located at the Ysleta Annex, 9451 Socorro Rd., for a total office space of 470 square feet. Funds are available in account CIP18-R&B-RENOVATIONS.

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

O. 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 Department (915) 546-2048

P. Approve and authorize the County Judge to sign the Addendum to the Maintenance Agreement with SAFRAN Morpho Trak for the Latent Fingerprint Station in the amount of \$12,735 for a one year term. Funds are available in account: GF-SOCID-MAINT/REP- SOFTWARE. (Contract No. 2017-0223)
Sheriff Richard Wiles, El Paso County Sheriff's Office (915) 538-2234

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

4. RESOLUTIONS

A. Approve and adopt a resolution designating March 2018 as El Paso Children's Hospital Nutrition Awareness Month, in El Paso County, Texas.
David Stout, Commissioner, Pct. 2 (915) 546-2111

MOTION: APPROVED

Motion made by Commissioner Stout
Seconded by Commissioner Perez

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

B. Approve and adopt a resolution designating March 8, 2018 as Dancing Backwards in High Heels Day - A Celebration of Women Entrepreneurship.
David Stout, Commissioner, Pct. 2 (915) 546-2111

MOTION: APPROVED

Motion made by Commissioner Stout
Seconded by County Judge Vogt

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

C. Approve and adopt a resolution supporting the freedom of all employees to exercise their rights to a voice and dignity on the job through joining together in strong unions.
David Stout, Commissioner, Pct. 2 (915) 546-2111

MOTION: APPROVED

Motion made by Commissioner Stout
Seconded by County Judge Vogt

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

D. Approve and adopt a resolution declaring the month of March 2018 as "Brain Injury Awareness Month" 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 Haggerty

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

5. PUBLIC COMMENT

James Perry, concerned citizen, asked for support to have metal detectors placed in all schools.

ITEMS PULLED FROM CONSENT FOR DISCUSSION

3F. Pulled for Discussion from Consent Agenda by Commissioner Leon.

Approve and authorize the allocation of funds in the amount of \$29,450 for architectural design for the County Courthouse walkways and sidewalks. Funding is available in CP- CPCRTHSIMP12-RENOVATIONS.
Norma Rivera Palacios, Interim 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, Perez, Haggerty
Members Voting Nay: None

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

BOARD APPOINTMENTS

6. Discuss and take appropriate action to appoint the Sheriff's Civil Service Commission nominee, Rolando Morales, to the El Paso County Ethics Commission for the term commencing February 1, 2018 through January 31, 2020.

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

MOTION: APPROVED

Motion made by Commissioner Haggerty
Seconded by Commissioner Leon

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

7. Discuss and take appropriate action to appoint candidates to serve on the El Paso County Historical Commission for the term ending December 31, 2018.

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

MOTION: APPROVED, APPOINT BRIAN KANOF; HARRY KIRK; DR. NANCY GONZALEZ, AND JOHN HAMILTON.

Motion made by County Judge Vogt
Seconded by Commissioner Stout

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

COUNTY ADMINISTRATION

8. Approve and authorize the County Judge to sign the First Amendment to the Interlocal Agreement Between the City of El Paso and the County of El Paso for Emergency Management Coordination, for their relocation and facility upgrades in the amount of \$104,863.90. Funds are available in account GF- GADM-OPS CONTINGENCIES. Further approve the re-allocation of funding from GF-GADM-OPS CONTINGENCIES to GF-EMERGENCYMGMT-OPS EXP-GEN. (Contract No. 2018-0013)

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

MOTION: APPROVED

Motion made by Commissioner Haggerty
Seconded by Commissioner Leon

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

HUMAN RESOURCES

9. Approve the updated Americans with Disabilities Act (ADA) Transition Plan for the County of El Paso to ensure the County continues to be in compliance with the Americans with Disabilities Act and with the Texas Accessibility Standards. Funding for ADA projects is available in CIP18-PW-IMPROV-ADA.

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

MOTION: APPROVED

Motion made by Commissioner Leon
Seconded by Commissioner Stout

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

10. Approve and authorize the revisions to the County of El Paso's Anti-Harassment Policy.

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

MOTION: DELETED

Motion made by County Judge Vogt
Seconded by Commissioner Perez

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

PUBLIC WORKS

11. (Postponed 2/26/18) Approve and authorize the County Judge to sign the License Agreement between the County and River Oaks Properties, LTD., for the Vista del Sol Roadway Construction. No County funds are required (Contract No. 2017-0206).

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

MOTION: APPROVED

Motion made by County Judge Vogt
Seconded by Commissioner Perez

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

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12. Approve and authorize the County Judge to sign the Second Amendment to the Interlocal Agreement VRF Project Development Agreement for the Eastlake Blvd., Phase 1 Roadway Improvement Project with the Camino Real Regional Mobility Authority. (Contract No. 2018-0122)

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

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

13. Approve a variance request from the County of El Paso Subdivision Regulations for Austin Subdivision Replat C.

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

MOTION: APPROVED

Motion made by Commissioner Haggerty
Seconded by Commissioner Perez

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

14. Approve and authorize the Public Works Department to accept the donation of a Timecutter Z4235 V-Twin Lawn Mower, from the Toro Company Giving Program, to be used for the maintenance of County Parks.

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

MOTION: APPROVED

Motion made by Commissioner Leon
Seconded by Commissioner Perez

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

GRANT APPLICATIONS

15. Approve and authorize the electronic submission of a grant application to the Texas Indigent Defense Commission in the amount of \$1,108,000 to fund the Public Defender Magistration Advocacy Project. A 20% grant match in the amount of \$221,603 is required for the first year of grant funding. Further authorize the County Judge to sign the required corresponding resolution authorizing submission of the Intent to Submit Grant Application, and reflect the internet submission confirmation number received during the application process.

Jaime E. Gandara, Chief Public Defender, Public Defender's Office (915) 546-8185 xt. 3691

MOTION: APPROVED

Motion made by Commissioner Stout
Seconded by Commissioner Leon

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

16. Approve and authorize the El Paso County Sheriff's Office HIDTA Program to submit a grant application for multiple initiatives to the Office of National Drug Control Policy in the amount of \$3,880,497 for the grant period of January 1, 2018 through December 31, 2018, with no cost to the County.

Travis B. Kuykendall, Director, West Texas HIDTA (915) 532-9550

17. Approve and authorize the El Paso County Sheriff's Office HIDTA Program to submit a grant application for prosecutorial initiatives to the Office of National Drug Control Policy in the amount of \$569,075 for the grant period of January 1, 2018 through December 31, 2018, with no cost to the County.

Travis B. Kuykendall, Director, West Texas HIDTA (915) 532-9550

MOTION: APPROVED, APPROVE ITEMS # 16 AND # 17.

Motion made by Commissioner Leon
Seconded by Commissioner Perez

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

18D. Pursuant to Texas Government Code § 551.0725, discuss negotiations with the El Paso Community Foundation regarding funding for the El Paso Children's Museum.

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

MOTION: APPROVED, FINDING AS FOLLOWS, FOR ITEM # 18D:

1. COMMISSIONERS COURT VOTES UNANIMOUSLY THAT DELIBERATION IN AN OPEN MEETING WOULD HAVE A DETRIMENTAL EFFECT ON THE POSITION OF THE COMMISSIONERS COURT IN NEGOTIATIONS WITH A THIRD PARTY;
2. THE ATTORNEY ADVISING THE COMMISSIONERS COURT ISSUES A WRITTEN DETERMINATION THAT DELIBERATION IN AN OPEN MEETING WOULD HAVE A DETRIMENTAL EFFECT ON THE POSITION OF THE COMMISSIONERS COURT IN NEGOTIATIONS WITH A THIRD PARTY; AND
3. A RECORDING OF THE PROCEEDINGS IN CLOSED SESSION IS MADE.

MOVE ITEM # 18D INTO EXECUTIVE SESSION PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.0725.

Motion made by County Judge Vogt
Seconded by Commissioner Perez

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

18. RECESSED INTO EXECUTIVE SESSION AT 11:19 a.m.

A. Discuss findings regarding persons necessary in Executive Session.

County Attorney's Office (915) 546-2050

B. (Postponed 2/26/18) Discuss financial information and economic development negotiations received from a business prospective regarding a 381 Agreement with Project Thunderbird, pursuant to Texas Government Code Section 551.087.

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

C. Discuss financial information and economic development negotiations received from a business prospective regarding a Chapter 381 Agreement with EPT Mesa Development L.P., pursuant to Texas Government Code Section 551.087

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

D. Pursuant to Texas Government Code § 551.0725, discuss negotiations with the El Paso Community Foundation regarding funding for the El Paso Children's Museum.

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

E. (Postponed 2/26/18) Discuss and take appropriate action regarding pending litigation styled Todd Godwin v. El Paso County et al., Cause No. 2016DCV2515, County Attorney's File No. 0139- 16-LD, pursuant to Texas Government Code Section 551.071.

Selina Saenz, Assistant County Attorney, County Attorney's Office (915) 546-2050

F. Discuss potential litigation on the Hotel-Motel Delinquency claim, County Attorney's File No. 0307-17-PC, pursuant to Texas Government Code 551.071.

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

REGULAR SESSION RECONVENED AT 12:39 p.m.

19. (Postponed 2/26/18) Approve and authorize the County Judge to sign a 381 Economic Development Agreement with FiveStars Loyalty, Inc (Contract 2018-0116).

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

MOTION: APPROVED, APPROVE A 381 AGREEMENT WITH FIVESTARS LOYALTY, INC. IN A TOTAL AMOUNT OF \$70,400.

Motion made by Commissioner Stout
Seconded by Commissioner Leon

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

20. Discuss and take appropriate action on potential litigation on the Hotel-Motel Delinquency claim, County Attorney's File No. 0307- 17-PC.

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

NO ACTION

ADDENDUM TO THE AGENDA

21. Approve amendment No. 20Z to the County of El Paso's 2017- 2018 operating budget. This budgetary amendment will not increase or decrease the overall budget.

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

Posted Friday, March 2, 2018 at 10:55 A.M.

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

MEETING ADJOURNED AT 12:44 p.m.

**EL PASO COUNTY
COMMISSIONERS COURT**

CARLOS LEON
Commissioner, Pct. 1

VINCENT PEREZ
Commissioner, Pct. 3



DAVID STOUT
Commissioner, Pct. 2

ANDREW R. HAGGERTY
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**COMMISSIONERS COURT REGULAR MEETING MINUTES
MONDAY, MARCH 5, 2018**

MEETING ADJOURNED AT 12:44 p.m.

ATTEST:

DELIA BRIONES, COUNTY CLERK
EL PASO COUNTY, TEXAS

PATRICIA PIETZYK FOR CESAR O. NAVA, DEPUTY CLERK

EXAMINED AND APPROVED BY ME THIS

_____ DAY OF _____, 2018.

COUNTY JUDGE RUBEN JOHN VOGT, PRESIDING