

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 19, 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 9:33 a.m.

2. PLEDGE OF ALLEGIANCE

3. CONSENT AGENDA

A. Approval of the Minutes of the regular meetings of November 6, 2017; November 27, 2017; December 11, 2017; January 8, 2018; January 29, 2018, and March 12, 2018.
County Administration Department (915) 546-2215

B. Approve and adopt the Commissioners Court policy regarding employee attendance and participation in Executive Session.
Betsy C. Keller, ICMA-CMC, Chief Administrator, County Administration (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.
Edward A. Dion, County Auditor, County Auditor's Office (915) 546-2040

Minutes of the El Paso County Commissioners Court, March 19, 2018

D. Approve and authorize the County Judge to sign the New Memorandum of Understanding with vendors, Professional Document Systems, Inc., Corporation Service Company, Brahma Title & Escrow, LLC., and IBC Mortgage, 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 Nos. 2017-0749 and 2018-0112)

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

E. Approve and authorize the County Judge to sign the Addendum to AMS Services Agreement and the Master Agency Agreement, with Alcohol Monitoring Systems, Inc., for monitoring equipment and support services for a term beginning February 2018 through February 2021. Funding in the amount of \$8,644 is available in the DWI DRUG CT INTER & TREATMENT 2018 grant. (Contract No. 2017- 0815)

Judge Robert Anchondo, County Criminal Court at Law No. 2 (915) 834-8232

F. Approve and authorize the District Attorney's office to accept the grant award/agreement from the Texas Council on Family Violence for a Domestic Violence High Risk Team position. This new grant is from February 1, 2018 to January 31, 2019 for a total of \$43,000 and is to be paid entirely by the Texas Council on Family Violence with no County match required. Funds are available in the Domestic Violence High Risk Team 18 Grant. (Contract No. 2018-0140)

Jaime Esparza, District Attorney, District Attorney's Office (915) 546-2059

G. Approve and authorize the El Paso County Purchasing Agent to auction one vehicle from the District Attorney's Office as per judgment from Cause No. 2016DCV0878.

Jaime Esparza, District Attorney, District Attorney's Office (915) 546-2059

H. PULLED FOR DISCUSSION BY ECONOMIC DEVELOPMENT

Approve and authorize the County Judge to sign the San Elizario Genealogy and Historical Society Service Agreement to provide up to \$17,300 in reimbursement of qualified expenses related to the celebration of the 27th Annual San Elizario Historical Conference and the 2nd Annual Rio Grande Festival running concurrently from April 26, 2018 to April 29, 2018. Funding is available in SR-TOURPROM-OPS EXPENSES-GEN. (Contract No. 2018-0131)

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

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. PULLED FOR DISCUSSION BY COUNTY JUDGE

Approve and authorize the County Judge to accept the Rio Grande Council of Governments Solid Waste Grant awards, in cooperation with the Texas Commission on Environmental Quality, for the Public Works Department. The awards are for the period of February 26, 2018 through June 30, 2018 for the following areas and in their respective amounts: Upper Valley (\$3,958.73), Westway (\$10,775), Fabens (\$10,602.50), and East Montana (\$3,452.50). (Contract Nos. 2018-0137, 2018-0142, 2018-0139 and 2018-0141)

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

K. Approve and authorize the County Judge to sign the Special Warranty Deed Dedicating Property (0.042 Acres) as Public Right- Of-Way (R.O.W.) as part of the improvements on Eastlake Boulevard Phase I on behalf of the County of El Paso. No County funds are required. (Contract No. 2017-0609)

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

L. 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

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 Jennifer Han for her continued athletic excellence.

Andrew R. Haggerty, Commissioner, Pct. 4 (915) 546-2044

MOTION: APPROVED

Motion made by Commissioner Haggerty
Seconded by Commissioner Stout

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

B. Approve and adopt a resolution designating the week of March 18 through the 24, 2018 as "Poison Prevention Week" 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

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

ITEMS PULLED FROM CONSENT FOR DISCUSSION

3H. Pulled for Discussion from Consent Agenda by Economic Development.

Approve and authorize the County Judge to sign the San Elizario Genealogy and Historical Society Service Agreement to provide up to \$17,300 in reimbursement of qualified expenses related to the celebration of the 27th Annual San Elizario Historical Conference and the 2nd Annual Rio Grande Festival running concurrently from April 26, 2018 to April 29, 2018. Funding is available in SR-TOURPROM-OPS EXPENSES-GEN. (Contract No. 2018-0131)

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

MOTION: APPROVED, TO FUND UP TO \$10,000 TO BE REIMBURSED FOR ANY H.O.T. (HOTEL OCCUPANCY TAX) TAX MONEY THAT IS ELIGIBLE FOR REIMBURSEMENT.

Motion made by County Judge Vogt
Seconded by Commissioner Perez

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

3J. Pulled for Discussion from Consent Agenda by County Judge

Approve and authorize the County Judge to accept the Rio Grande Council of Governments Solid Waste Grant awards, in cooperation with the Texas Commission on Environmental Quality, for the Public Works Department. The awards are for the period of February 26, 2018 through June 30, 2018 for the following areas and in their respective amounts: Upper Valley (\$3,958.73), Westway (\$10,775), Fabens (\$10,602.50), and East Montana (\$3,452.50). (Contract Nos. 2018-0137, 2018-0142, 2018-0139 and 2018-0141)

Norma Palacios, Interim 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, Perez, Haggerty
Members Voting Nay: None

6. PRESENTATION

A. Receive a presentation regarding Project Arriba services provided under the FY 2018 Workforce Development Agreement.

Irene Valenzuela, Executive Director, Community Services Department (915) 775-2708

RECEIVED PRESENTATION

BOARD APPOINTMENTS

7. Approve the reappointment of Commissioner Carlos Leon's appointee, Joy Martinez, to the El Paso County Hospital District Board, for a second and final 3-year term beginning April 1, 2018 through March 31, 2021.

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

MOTION: APPROVED

Motion made by Commissioner Leon
Seconded by Commissioner Haggerty

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

COUNTY ADMINISTRATION

8. Discuss and take appropriate action to adopt a policy outlining the use of County funds by Elected Officials and Precinct Officers who have not yet secured re-election at the time of the primary election for their offices.

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

MOTION: POSTPONED FOR ONE WEEK

Motion made by County Judge Vogt
Seconded by Commissioner Leon

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

AUDITOR

9. (Postponed 3/12/18) Discuss and take appropriate action regarding a travel request for June 2018 from Judge Luis Aguilar and provide input on the process for travel requests for current office holders who are not seeking or do not win re-election. Funds are available in account GF-GADM-TRAVEL/PROF ED.

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

MOTION: APPROVED

Motion made by Commissioner Leon
Seconded by County Judge Vogt

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

ECONOMIC DEVELOPMENT

10. Approve and authorize the County Judge to sign a Historic Site Tourist Promotion and Preservation Services Agreement with the Concordia Heritage Association, a Texas non-profit organization, for the operation and tourist promotion of the historic Concordia Cemetery in the amount of \$68,988, for a term beginning October 1, 2017 through September 30, 2018. Funds are available in SR- TOURPROM-CONCORDIA CEMETERY. (Contract No. 2017- 0801)

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

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

11. CORRECTED AT THE REQUEST OF ECONOMIC DEVELOPMENT

As corrected, approve and authorize the County Judge to sign the First Amendment to Contract for Professional Services Historical and Architectural Survey for the County of El Paso with Hardy-Heck- Moore, Inc., d/b/a HHM Inc. This amendment will suspend professional services. (Contract No. 2018-0126)

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

MOTION: APPROVED

Motion made by Commissioner Haggerty
Seconded by County Judge Vogt

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

PUBLIC WORKS

12. Approve and authorize the County Judge to sign the Fixed Price Agreement Between Owner and Contractor with Goytia Enterprises Company to replace the kitchen flooring at the Jail Annex in the amount of \$147,450. Funds are available in CIP17- SOJAILANX-RENOVATIONS. (Contract No. 2017-0739)

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

MOTION: APPROVED, POSTPONED FOR ONE WEEK.

Motion made by Commissioner Haggerty

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

Seconded by Commissioner Leon

Members Voting Nay: None

13. Approve and authorize the County Judge to sign the Public Transportation Project Grant Agreement Amendment #1, to accept additional funding in the amount of \$58,990 for the FY2018 State Rural Public Transportation Grant. The original grant award amount accepted was \$309,160. If approved, the new total grant award will be \$368,150. (Contract No. 2018-0105)

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

MOTION: APPROVED

Motion made by Commissioner Haggerty

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

Seconded by Commissioner Leon

Members Voting Nay: None

PURCHASING

14. Approve and authorize the Purchasing Agent to use the Region 19 Contract 14-7063, awarded to Alamo Auto Supply, for installations and one year of GPS Fleet Vehicle tracking services for 437 vehicles for the County of El Paso. Purchasing approved on 3/1/2018. Funding is available in GF-FLEETOPER-GPSSERVICE.

Debra Carrejo, Purchasing Agent, Purchasing Department (915) 546-2048

MOTION: APPROVED

Motion made by Commissioner Haggerty

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

Seconded by Commissioner Leon

Members Voting Nay: None

15. Approve and authorize the Purchasing Agent to solicit proposals for a Financial Advisor for the County of El Paso Auditor's Department in accordance with Local Government Code 262.030; the Purchasing Agent has reviewed use of the Request for Proposal (RFP) process.

Debra Carrejo, Purchasing Agent, Purchasing Department (915) 546-2048

MOTION: APPROVED

Motion made by County Judge Vogt

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

Seconded by Commissioner Perez

Members Voting Nay: None

16. Approve and authorize the Purchasing Agent to close out Bid #16- 035, Replace Existing Emergency Fire Pump at the County Courthouse, and rebid.

Debra Carrejo, Purchasing Agent, Purchasing Department (915) 546-2048

MOTION: APPROVED

Motion made by Commissioner Leon

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

Seconded by Commissioner Haggerty

Members Voting Nay: None

17. Approve and authorize the Purchasing Agent to close out RFP #18-003, Remote Monitoring and Management System for the County of El Paso Information Technology Department, and end the procurement process.

Debra Carrejo, Purchasing Agent, Purchasing Department (915) 546-2048

MOTION: APPROVED

Motion made by Commissioner Haggerty

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

Seconded by Commissioner Leon

Members Voting Nay: None

18. Approve and authorize the Purchasing Agent to close out Bid #18- 009, Rehabilitation of Five (5) Single Family Housing Units Located in the Colonias of Horizon View Estates and Agua Dulce, and end the procurement process.

Debra Carrejo, Purchasing Agent, Purchasing Department (915) 546-2048

19. Approve and authorize the Purchasing Agent to close out Bid #18- 010, Reconstruction of Nine (9) Single Family Housing Units under the El Paso County Colonia Self Help Center Program, and end the procurement process.

Debra Carrejo, Purchasing Agent, Purchasing Department (915) 546-2048

MOTION: APPROVED, APPROVE ITEMS # 18 AND # 19.

Motion made by County Judge Vogt

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

Seconded by Commissioner Perez

Members Voting Nay: None

BUDGET AND FINANCE

20. Approve amendment No. 23 to the County of El Paso's 2017-2018 operating budget. This budgetary amendment will increase Grants by \$35,843.73 thus increasing the overall budget of \$485,075,692.15 to \$485,111,535.88.

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

MOTION: APPROVED

Motion made by Commissioner Haggerty

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

Seconded by Commissioner Leon

Members Voting Nay: None

21. RECESSED INTO EXECUTIVE SESSION AT 11:09 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 Chapter 381 Agreement with EPT Mesa Development, LP, 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 Project DT, pursuant to Texas Government Code Section 551.087.

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

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

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

E. Discuss and take appropriate action regarding litigation styled Todd Godwin v. El Paso County, et al; Cause No. 2016DCV2515, County Attorney's case number 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 pending litigation of Francisco A. Ortiz v. El Paso County, Texas, et al.; Cause No. 2016DCV4247; County Attorney Case Number 0273-16-LD, pursuant to Texas Government Code Section 551.071.

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

G. Discuss the pending claim submitted by Michael Solis; County Attorney's file number 0068-18-LC, pursuant to Texas Government Code Section 551.071.

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

H. Discuss pending appeal of Janice Baker; Cause No. 08-18-00012- CV; County Attorney Case Number 0073-16-LD(A), pursuant to Texas Government Code Section 551.071.

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

I. Discuss pending litigation regarding SB4, pursuant to Texas Government Code Section 551.071.
Christina Sanchez, Assistant County Attorney, County Attorney's Office (915) 546-2050

J. Discuss and review the recruitment and hiring process for the Public Works Director vacancy, pursuant to Texas Government Code Section 551.074.

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

REGULAR SESSION RECONVENED AT 11:30 a.m.

RECESSED UNTIL 12:15 p.m.

RECONVENED AT 12:25 p.m.

21. RECESSED INTO EXECUTIVE SESSION AT 12:26 p.m.

REGULAR SESSION RECONVENED AT 2:24 p.m.

22. Discuss and take appropriate action regarding litigation styled Todd Godwin v. El Paso County, et al; Cause No. 2016DCV2515, County Attorney's case number 0139-16-LD.

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

MOTION: APPROVED, APPROVE THE SETTLEMENT AGREEMENT AS NEGOTIATED BY THE COUNTY ATTORNEY'S OFFICE.

Motion made by Commissioner Leon

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

Seconded by County Judge Vogt

Members Voting Nay: Haggerty

23. Discuss and take appropriate action on the pending litigation of Francisco A. Ortiz v. El Paso County, Texas, et al.; Cause No. 2016DCV4247, County Attorney's case number 0273-16-LD.

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

NO ACTION

MEETING ADJOURNED AT 2:26 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
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 19, 2018**

MEETING ADJOURNED AT 2:26 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