

**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 12, 2018**

HON. RUBEN JOHN VOGT
CARLOS LEON
DAVID S. STOUT
VINCENT M. PEREZ
ANDREW R. HAGGERTY

COUNTY JUDGE, PRESIDING
COMMISSIONER, PCT #1
COMMISSIONER, PCT #2
COMMISSIONER, PCT #3
COMMISSIONER, PCT #4

PRESENT
PRESENT
PRESENT
PRESENT
PRESENT

MINUTES PREPARED BY 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 5, 2018 and the special meeting of February 6, 2018.

County Administration Department (915) 546-2215

B. Approve and authorize funds in the amount \$150 for the County's annual membership dues to the West Texas County Judges & Commissioner Association. Funds are available in GF-GADM-DUES.

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

D. Approve and authorize the County Judge to sign the New Memorandum of Understanding with vendor, Professional Document Systems Inc, CSC, and First American Title Insurance Company; and Citizens Bank of Las Cruces, for e-filing and recording of documents for the County Clerk's Office. As recommended by the County Attorney's Office, this contract is to continue on an automatic renewal. (Contract No. 2018-0041 and 2018-0042)

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

E. Approve and authorize the County Judge to sign the Professional Services Agreement between the County of El Paso and RFD & Associates, Inc. to provide on-demand support for database systems for one year. Funding is available in GF-ITD-CONTR SVC-GEN. (Contract No. 2017-0823)

Christopher Stathis, Chief Technology Officer, Information Technology Department (915) 546-2041

F. Approve and authorize the County Judge to sign Change Order No. 2 to the Master Services Agreement between the County of El Paso and Intergraph Corporation, dba Hexagon Safety & Infrastructure (Hexagon) for I/LEADS to WebRMS Migration Task Revisions. There is no fiscal impact to the County. (Contract No. 2017-0941)

Christopher Stathis, Chief Technology Officer, Information Technology Department (915) 546-2041

G. 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

H. 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: APPROVE

Motion made by County Judge Vogt

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

Seconded by Commissioner Leon

Members Voting Nay: None

4. RESOLUTIONS

A. Approve and adopt a resolution welcoming Texas State Representative Barbara Gervin-Hawkins to El Paso County and honoring her for her great accomplishments and service.

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

MOTION: APPROVE

Motion made by Commissioner Stout

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

Seconded by County Judge Vogt

Members Voting Nay: None

B. Approve and adopt a resolution recognizing the month of February 2018 as "El Paso Children's Hospital Birthday Month" in El Paso County, Texas.

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

MOTION: APPROVE

Motion made by Commissioner Stout

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

Seconded by Commissioner Haggerty

Members Voting Nay: None

C. Approve and adopt a resolution recognizing the week of February 26, 2018 through March 2, 2018 as "Kids & Kows & More" week in El Paso County, Texas.

Vincent M. Perez, Commissioner, Pct. 3 (915) 546-2144

MOTION: APPROVE

Motion made by Commissioner Perez
Seconded by Commissioner Leon

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

D. Approve and adopt a resolution recognizing Monday, February 19, 2018 as "Spirit of Star Day" in El Paso County, Texas.

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

MOTION: APPROVE

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

NO ACTION

BOARD APPOINTMENTS

6. 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: APPROVE

Motion made by Commissioner Leon
Seconded by Commissioner Haggerty

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

AUDITOR

7. Pursuant to Texas Government Code, Title 10, § 2256.003, please accept the attached investment reports for the first quarter and three months ended December 31, 2017.

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

MOTION: APPROVE

Motion made by Commissioner Perez
Seconded by County Judge Vogt

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

HEALTH AND SOCIAL SERVICES

8. Approve and authorize the County Judge to sign a letter to the U.S. Department of Housing and Urban Development (HUD) relinquishing a rapid re-housing program grant in the amount of \$115,660, enabling HUD to re-grant to a new recipient. (Contract No. 2018-0063)

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

MOTION: APPROVE

Motion made by Commissioner Haggerty
Seconded by Commissioner Leon

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

INFORMATION TECHNOLOGY

9. Approve and authorize the County Judge to sign the Agreement between El Paso County and Axon Enterprise, Inc. for the maintenance and management of the Taser handheld weapon and personal body cameras for use in the Sheriff's Office, in the amount of \$331,320 for a one year term. Further approve the re-allocation of funds from GF-ITD-SVC FEE-CLOUD STORAGE to GF-ITD- MANT/REP-TSER & BDY CAM. (Contract No. 2017-0663)

Christopher Stathis, Chief Technology Officer, Information Technology Department (915) 546-2041

MOTION: DELETE

Motion made by Commissioner Haggerty
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, February 12, 2018

PUBLIC WORKS

10. Approve and authorize the allocation of funding in the amount of \$60,000 for the demolition of the Ascarate Golf Course Association Building. Further approve the re-allocation of funds from CP-CPCAPITAL07-MISCELLANEOUS to CP- CPASCPKIM07-RENOV to fund the project.

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

11. Approve and authorize allocation of funding in the amount of \$60,000 for the demolition of the old animal shelter. Further approve the re-allocation of funds from CP-IMPROV01-MISCELLANEOUS to CIP18-PW-RENOV to fund the project.

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

MOTION: APPROVE ITEMS #10 AND #11

Motion made by Commissioner Stout

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

Seconded by County Judge Vogt

Members Voting Nay: None

12. Approve and accept the revision of a portion of Dairyland Subdivision to be named Dairyland Subdivision Replat "U", pursuant to requirements of the Texas Local Government Code §232.041 (Revision of Plat) and authorize the filing and recording of the subdivision plat.

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

MOTION: OPEN A PUBLIC HEARING FOR ITEM #12.

Motion made by County Judge Vogt

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

Seconded by Commissioner Stout

Members Voting Nay: None

MOTION: CLOSE THE PUBLIC HEARING FOR ITEM #12.

Motion made by Commissioner Haggerty

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

Seconded by Commissioner Perez

Members Voting Nay: None

MOTION: APPROVE ITEM #12 AS WRITTEN.

Motion made by County Judge Vogt

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

Seconded by Commissioner Leon

Members Voting Nay: None

PURCHASING

13. Award of Bid 18-002, Ink and Toner Cartridges for the County of El Paso, to Beyond Technology, Centennial, CO; CVR Computer Supplies, Haddonfield, NJ; Dream Ranch Office Supplies, Krum, TX; El Paso Office Products, El Paso, TX; Enhanced Laser Products, Houston, TX; Pencil Cup Office Products, Inc., El Paso, TX; Rapid Refill, El Paso, TX; Rasix Computer Center, Inc., Chula Vista, TX; Ready Data, Inc., New York, NY; Shelby Distributions, Inc., El Paso, TX; SHI Government Solutions, Austin, TX; Southern Computer Warehouse, Inc., Marietta, GA; Supplies Hotline Corporation, Bethlehem, PA; The Office Pal, Lakewood, NJ; and The Tree House Inc., Norwood, MA. Award is based on lowest bidder per line item. Purchasing approved recommendation on 02/06/18.

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

MOTION: APPROVE

Motion made by Commissioner Leon

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

Seconded by Commissioner Haggerty

Members Voting Nay: None

14. Approve and authorize the Purchasing Agent to solicit proposals for Promotional Testing Services for the El Paso County Human Resources Department to administer law enforcement Promotional Testing for the Sheriff's Office. In accordance with Local Government Code 262.030, Request for Proposal (RFP) process for this service.

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

MOTION: APPROVE

Motion made by Commissioner Leon

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

Seconded by County Judge Vogt

Members Voting Nay: None

GRANT APPLICATIONS

Approve the submission of County grant applications as listed and described. If awarded, all grant award agreements will be brought back to the Commissioners Court for final acceptance and approval.

15. Approve and authorize the County Attorney's Office to submit a General Victim Assistance Program grant application to the Office of the Governor - Criminal Justice Division in the amount of \$72,000 with an \$18,000 cash match from the County General Fund, for a total project cost of \$90,000. The grant period is from October 1, 2018 through September 30, 2019.

Jo Anne Bernal, County Attorney, County Attorney's Office (915) 546-2050 x4459

MOTION: APPROVE

Motion made by County Judge Vogt
Seconded by Commissioner Leon

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

16. Approve and authorize the Driving While Intoxicated (DWI Court) to apply for the FY 2018-2019 Office of the Governor, Criminal Justice Division, Justice Assistance Grant for Specialty Courts in the amount of \$146,000, and further authorize the County Judge to sign the corresponding resolution. There is no County match required.

Leticia Medina, Compliance Officer, County Criminal Court at Law No. 2 (915) 834-8232

MOTION: APPROVE

Motion made by Commissioner Leon
Seconded by Commissioner Stout

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

17. Approve and authorize the General Assistance Program, a unit of the Community Services Department, to submit a grant application to the United Way of El Paso County for \$65,000, from the Emergency Food and Shelter Program for rental and mortgage assistance, from Phase 35 Local Board Plan- Stewart B. McKinney Homeless Assistance Act funds. No county match is required.

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

MOTION: APPROVE

Motion made by Commissioner Leon
Seconded by Commissioner Stout

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

18. Approve and authorize the Public Works Department to apply for the FY2019 Intercity Bus (ICB) Grant to TxDOT in the amount of \$993,576. The purpose of the grant is to continue the provision of Intercity Bus Service serving El Paso and Anthony, Texas, and Las Cruces, New Mexico. In addition, authorize the County Judge to sign the Certificate of Obligation as a requirement of the grant. No County match is required.

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

MOTION: APPROVE

Motion made by Commissioner Haggerty
Seconded by Commissioner Stout

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

19. Approve and authorize the Public Works Department to submit a grant application to the Texas Department of Transportation (TxDOT) for the Fiscal Year (FY) 2019 Federal Transit Administration (FTA) Rural Discretionary Grant. In addition, request the County Judge to sign the Certificate of Obligation as a requirement of the grant. A County match is required in the amount of \$156,415.

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

MOTION: APPROVE

Motion made by County Judge Vogt
Seconded by Commissioner Haggerty

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

20. Approve and authorize the County Judge to accept and allow the Parks & Special Events department to implement the Walk With Ease Instructor Training grant. There is no county match required.

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

MOTION: APPROVE

Motion made by Commissioner Leon
Seconded by Commissioner Stout

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

BUDGET AND FINANCE

21. Approve amendment No. 18 to the County of El Paso's 2017-2018 operating budget. This budgetary amendment will increase Grants by \$3,735.08 thus increasing the overall budget of \$484,818,108.07 to \$484,821,843.15.

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

MOTION: APPROVE

Motion made by County Judge Vogt
Seconded by Commissioner Perez

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

22. RECESSED INTO EXECUTIVE SESSION AT 11:07 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 Project 108, 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. Discuss financial information and economic development negotiations received from a business prospective regarding a Chapter 381 Agreement with Project Thunderbird, pursuant to Texas Government Code Section 551.087.

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

E. Discuss potential real estate property acquisition in Downtown El Paso for revenue and economic development purposes, pursuant to Texas Government Code § 551.072.

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

F. Discuss pending litigation of Francisco A. Ortiz v. El Paso County, Texas, et al.; Cause No. 2016-DCV-4247; 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 and take appropriate action regarding litigation styled Todd Godwin v. El Paso County, et al.; Cause No. 2016-DCV-2515, 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

H. Discuss the pending EEOC claim and potential litigation Charge No. 453-2018- 00002; County Attorney's file number 0272-17-EE, pursuant to Texas Government Code Section 551.071.

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

I. Discuss potential claim regarding Merrill Bail Bonds, County Attorney No. 0009- 18-PC, pursuant to Texas Government Code Section 551.071.

Donnie McGilbra, Assistant County Attorney, County Attorneys Office (915) 546-2050

J. Discuss potential claim regarding Oscar Gonzalez, County Attorney No. 0301- 17-PC, pursuant to Texas Government Code Section 551.071.

Donnie McGilbra, Assistant County Attorney, County Attorneys Office (915) 546-2050

REGULAR SESSION RECONVENED AT 1:32 P.M.

23. Discuss and take appropriate action regarding a Chapter 381 Agreement with Project Thunderbird.
Jose Quinonez, Director, Economic Development Department (915) 546-2177

NO ACTION

24. Discuss potential claim and take appropriate action regarding claim of Merrill Bail Bonds, County Attorney No. 0009-18-PC.

Donnie McGilbra, Assistant County Attorney, County Attorney's Office (915) 546-2050

MOTION: APPROVE AND AUTHORIZE THE COUNTY ATTORNEY'S OFFICE TO PROCEED WITH LITIGATION FOR THE RECOVERY OF MONIES REGARDING MERRILL BAIL BONDS, COUNTY ATTORNEY NO. 0009-18-PC.

Motion made by Commissioner Haggerty

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

Seconded by County Judge Vogt

Members Voting Nay: None

25. Discuss potential claim and take appropriate action regarding claim of Oscar Gonzalez, County Attorney No. 0301-17-PC.

Donnie McGilbra, Assistant County Attorney, County Attorneys Office, (915) 546-2050

MOTION: APPROVE AND AUTHORIZE THE COUNTY ATTORNEY'S OFFICE TO PROCEED WITH LITIGATION FOR THE RECOVERY OF MONIES REGARDING OSCAR GONZALEZ, COUNTY ATTORNEY NO. 0301-17-PC.

Motion made by County Judge Vogt

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

Seconded by Commissioner Haggerty

Members Voting Nay: None

MEETING ADJOURNED AT 1:35 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

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**COMMISSIONERS COURT REGULAR MEETING MINUTES
MONDAY, FEBRUARY 12, 2018**

MEETING ADJOURNED AT 1:35 P.M.

ATTEST:

DELIA BRIONES, COUNTY CLERK
EL PASO COUNTY, TEXAS

CESAR O. NAVA, DEPUTY CLERK

EXAMINED AND APPROVED BY ME THIS

_____ DAY OF _____, 2018.

COUNTY JUDGE RUBEN JOHN VOGT, PRESIDING