

# 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>

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## COMMISSIONERS COURT REGULAR MEETING MINUTES MONDAY, APRIL 30, 2018

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

### MINUTES PREPARED BY PATRICIA PIETZYK, DEPUTY CLERK

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#### 1. MEETING CONVENED

Commissioners Court of El Paso County, Texas was called to order by the Deputy Clerk at 9:33 a.m.

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#### 2. PLEDGE OF ALLEGIANCE

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#### 3. CONSENT AGENDA

A. Approval of the Minutes of the regular meeting of April 23, 2018 and the special meetings of August 11, 2017; January 18, 2018; January 19, 2018; February 22, 2018 and February 22, 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. 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 John Cook from the following: James Scherr, Maxey Scherr, EMPOA PAC, Alfredo Corral, Elma Carreto, Stanley Jobe, Woody Hunt, EPSOA PAC and Jaime & Martha Rubinstein.

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

D. Approve and authorize the County Judge to sign the agreement between the County of El Paso and Sigma Technology Solutions, Inc., as per Contract No. 2018-0224.

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

E. Approve and authorize the County Judge to sign the interlocal agreement on behalf of the El Paso County Juvenile Probation Department with the City of El Paso for dental health, counseling and prevention education services. (Contract No. 2017-0625).

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

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

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

G. 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*

H. Quarterly Report from the Chief Administrator's Office

*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, Perez, Haggerty

Members Voting Nay: None

#### **4. RESOLUTIONS**

A. Approve and adopt a resolution recognizing April 29th, 2018 as "World Wish Day." in El Paso County, Texas.

*Carlos Leon, Commissioner, Pct. 1 (915) 546-2014*

MOTION: APPROVED

Motion made by Commissioner Leon

Seconded by Commissioner Haggerty

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

Members Voting Nay: None

B. Approve and adopt a resolution declaring the week of April 30, 2018 through May 2, 2018 as "El Paso Athletic Hall of Fame 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 Leon

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

Members Voting Nay: None

C. Approve and adopt a resolution designating May 1 - 4, 2018 as Jury Appreciation Week, in El Paso County, Texas.

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

MOTION: APPROVED

Motion made by County Judge Vogt

Seconded by Commissioner Perez

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

Members Voting Nay: None

D. Approve and adopt a resolution declaring Saturday, May 12, 2018 as "Stamp Out Hunger 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 Leon

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

## **5. PUBLIC COMMENT**

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

## **18. RECESSED INTO EXECUTIVE SESSION AT 10:03 a.m.**

A. Discuss findings regarding persons necessary in Executive Session.

*County Attorney's Office (915) 546-2050*

D. Discuss potential litigation regarding NY v. Dept of Commerce- Bureau of Census; County Attorney's case number 0105-18-PL, pursuant to Texas Government Code Section 551.071.

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

## **REGULAR SESSION RECONVENED AT 10:32 a.m.**

## **6. PRESENTATION**

A. Receive a presentation from the Office of State Board of Education Member Georgina Perez, regarding the "Path2Diploma" rules.

*Carlos Leon, Commissioner, Pct. 1 (915) 546-2014*

RECEIVED PRESENTATION

## **BOARD APPOINTMENTS**

7. Approve the reappointment of Commissioner Haggerty's appointee, Russell P. Ubinger, to the Housing Authority Board for the term beginning May 15, 2018 through May 14, 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, Perez, Haggerty  
Members Voting Nay: None

## **COMMISSIONERS COURT**

8. Approve and authorize the County Judge to submit a letter to the El Paso Metropolitan Planning Organization listing the final projects sponsored by the County of El Paso in the 2045 Destino Metropolitan Transportation Plan.

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

MOTION: APPROVED

Motion made by Commissioner Haggerty  
Seconded by County Judge Vogt

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

## **COUNTY ADMINISTRATION**

9. Discuss and take appropriate action to adopt a policy regarding the use of County funds by Elected Officials and Precinct Officials who have not sought or secured re-election.

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

MOTION: APPROVED

Motion made by County Judge Vogt  
Seconded by Commissioner Perez

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

## JUDICIARY AND CORRECTIONS

**10.** Rescind the court order from the special meeting of December 21, 2017, item Number 2, to approve and authorize the County Judge to sign the Interlocal Cooperation Agreement with the Texas Department of Public Safety El Paso Crime Lab for one full-time equivalent employee (FTE) to perform Blood Alcohol Analysis in an amount not exceed \$159,671.77 for a two-year term. (Contract No. 2017-0844)  
*Judge Robert Anchondo CCR2 (915) 834-8232*

### MOTION: APPROVED

Motion made by Commissioner Haggerty  
Seconded by Commissioner Leon

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

## **11. CORRECTED AT THE REQUEST OF CHRISTINA SANCHEZ, ASSISTANT COUNTY ATTORNEY AND GABY FERRO, BUDGET AND FISCAL POLICY DEPARTMENT**

As corrected, approve and authorize the County Judge to sign the Interlocal Cooperation Agreement with the Texas Department of Public Safety El Paso Crime Lab for one full time equivalent employee (FTE) to perform Blood Alcohol Analysis on El Paso County cases in an amount not exceed \$159,671.77 for a two-year term. Funding is available in account GF-CRMJUSTCOORD-CONTR SVC-GEN. Further, authorize the re-allocation of funding from GF-CRMJUSTCOORD-CONTR SVC-GEN to GF-CCRIMC2- CONTR SERV. (Contract No. 2017-0844)

*Judge Robert Anchondo, CCR2 (915) 834-8232*

### MOTION: APPROVED, APPROVE AS CORRECTED

Motion made by Commissioner Haggerty  
Seconded by County Judge Vogt

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

## LITIGATION, JUSTICE, AND LAW ENFORCEMENT

**12.** Approve and authorize the electronic submission of a grant application to the Texas Indigent Defense Commission funding the Public Defender Mental Health Litigation and Advocacy Unit for FY 2019. Further, pass a resolution approving the application and designating grant officials, and authorize the County Judge to sign the resolution and internet submission confirmation form. A 40% grant match in the amount of \$428,447.00, is required for this second year of grant funding, and the Department of Budget and Fiscal Policy will account for the match in the FY 2019 Budget. Contract No. 2018-0223.

*Jaime E. Gandara, Chief Public Defender, Public Defender Office (915) 546-8185*

### MOTION: APPROVED

Motion made by Commissioner Leon  
Seconded by Commissioner Perez

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

## INFORMATION TECHNOLOGY

**13.** (Postponed 4-23-18) Approve and authorize the County Judge to sign the service agreement with SHI Government Solutions. Further, approve a transfer in the amount of \$126,700 from GF- GADM-CONTR SVC-GEN into GF-ITD-MAINT/REP- SOFTWARE. (Contract No. 2018-0198)

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

### MOTION: APPROVED

Motion made by County Judge Vogt  
Seconded by Commissioner Perez

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

## **14. CORRECTED AT THE REQUEST OF CHRISTINA SANCHEZ, ASSISTANT COUNTY ATTORNEY**

As corrected, approve and authorize the Information Technology Department to send a Notification Letter to Blue Hill Data Services for implementation of Statement of Work #2 as per Contract No. 2018-0189.

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

### MOTION: APPROVED

Motion made by Commissioner Haggerty  
Seconded by Commissioner Leon

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

## BUDGET AND FINANCE

15. Approve and authorize the El Paso County ESD #1 loan amendment for the construction of Station #2 in the district.

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

MOTION: APPROVED

Motion made by Commissioner Leon

Seconded by Commissioner Perez

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

Members Voting Nay: None

16. Approve and authorize the County Judge to sign the agreement with Crime Stoppers of El Paso for a donation in the amount of \$5,000 from the County to Crime Stoppers for fiscal year 2018 (Contract No. 2018-0176).

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

MOTION: APPROVED

Motion made by Commissioner Leon

Seconded by County Judge Vogt

Members Voting Aye: Judge Vogt, Leon, Perez

Members Voting Nay: Haggerty

17. Approve amendment No. 29 to the County of El Paso's 2017-2018 operating budget. This budgetary amendment will increase Grants by \$31,200 thus increasing the overall budget of \$485,250,714.87 to \$485,281,914.87.

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

MOTION: APPROVED

Motion made by Commissioner Perez

Seconded by Commissioner Haggerty

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

Members Voting Nay: None

## 18. RECESSED INTO EXECUTIVE SESSION AT 11:10 a.m.

B. Discuss the pending claim submitted by Patricia Aguilar, County Attorney's file number 0096-18-LC, pursuant to Texas Government Code Section 551.071.

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

C. 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*

E. Discuss the pending litigation regarding El Paso County vs. LKG Enterprises, Inc. d/b/a LKG, Inc.; Cause No. 2007-5484, County Attorneys file number PL-08-008, pursuant to Texas Government Code Section 551.071.

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

F. Discuss the amendment of the settlement agreement with Mesquite Properties, LP, Cause No. 2014DCV3734, and County Attorney Case Number 0285-14-LD, pursuant to Texas Government Code Section 551.071.

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

## REGULAR SESSION RECONVENED AT 11:27 a.m.

19. Discuss and take action on the potential litigation regarding NY v. Dept. of Commerce-Bureau of Census; County Attorney's case number 0105-18-PL.

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

NO ACTION

20. Discuss and take appropriate action to approve the amendment of the settlement agreement with Mesquite Properties, LP, Cause No. 2014DCV3734, and County Attorney Case Number 0285-14- LD.

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

MOTION: APPROVED, APPROVE AND AUTHORIZE THE COUNTY JUDGE TO SIGN THIS VERSION OF THE AMENDED AGREEMENT.

Motion made by Commissioner Haggerty

Seconded by Commissioner Perez

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

Members Voting Nay: None

## MEETING ADJOURNED AT 11:28 a.m.

*Minutes of the El Paso County Commissioners Court, April 30, 2018*

**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, APRIL 30, 2018**

**MEETING ADJOURNED AT 11:28 a.m.**

ATTEST:

DELIA BRIONES, COUNTY CLERK  
EL PASO COUNTY, TEXAS

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PATRICIA PIETZYK, DEPUTY CLERK

EXAMINED AND APPROVED BY ME THIS

\_\_\_\_\_ DAY OF \_\_\_\_\_, 2018.

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COUNTY JUDGE RUBEN JOHN VOGT, PRESIDING