

**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, MAY 14, 2018**

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

**MINUTES PREPARED BY CESAR O. NAVA, 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 9:37 A.M.

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**2. PLEDGE OF ALLEGIANCE**

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### 3. CONSENT AGENDA

A. 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*

**B. DELETE PER BUDGET AND FISCAL POLICY DEPARTMENT** - Approve and authorize the Emergency Service District #2 listing of designated vehicles to be sold.

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

C. Approve and authorize the County Judge to sign the New Memorandum of Understanding with vendor, Professional Document Systems Inc., CSC & Northpointe Bank, 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. 2018-0182)

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

D. Approve and authorize an amendment to increase the FY18 Justice of the Peace Technology Fund approved budget in the amount of \$10,232 from Special Revenue Fund 6043. This amended request is to support the cost of hardware needed for the Tyler Judges SessionWorks. Further, approve the re-allocation of funds in the amount of \$10,232 from SR-JPTECH-OPS CONTINGENCIES to SR-JPTECH-OPS EQUIPMENT.

*Judge Brian J. Haggerty, Justice Court, Pct. 2 (915) 751-7575*

E. Approve and authorize the County Judge to sign the Second Amendment to Interlocal Cooperation Contract for Psychiatric Services with Texas Tech University Health Sciences Center - El Paso (TTUHSC EP) and the El Paso County Juvenile Probation Department. This contract amends the cumulative hours worked by the service provider. (Contract No. 2018-0103)

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

F. Approve and authorize the County Judge to sign the El Paso Center for Children Specialized Foster Care Program (Child Placement Agency) Agreement for Residential Services on behalf of the El Paso County Juvenile Probation Department from April 1, 2018 through October 31, 2018. Funds are available in TJJD Commitment Diversion 2018 Grant. (Contract No. 2018-0227)

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

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, 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*

I. Approve and authorize the County Judge to sign the 2018 Click It Or Ticket grant award from the Texas Department of Transportation in the amount of \$6,998.25. This grant is for the El Paso County Sheriff's Office to conduct overtime enforcement specifically intended for seat belt safety over the Memorial Day weekend. (Contract No. 2018-0266)

*Sheriff Richard D. Wiles, El Paso County Sheriff's Office (915) 546-2262 x4105*

**J. DELETE PER SHERIFF'S DEPARTMENT** - Approve and authorize the County Judge to sign the Annual Maintenance Contract with Astrophysics, Inc. for maintenance, repair and labor for the x-ray machines located in the County Courthouse from April 1, 2018 through September 30, 2018 in the amount of \$7,575. Funds are available. (Contract No. 2018-0101)

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

#### **MOTION: APPROVE**

Motion made by Commissioner Perez

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 week of May 13 through May 19, 2018 as "National Police Week" in El Paso County, Texas.

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

**MOTION: APPROVE**

Motion made by Commissioner Leon  
Seconded by Commissioner Perez

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

B. Approve and adopt a resolution recognizing May 11, 2018 as "Law Enforcement Appreciation Day" in El Paso County, Texas.

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

**MOTION: APPROVE**

Motion made by Commissioner Leon  
Seconded by Commissioner Haggerty

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

C. Approve and adopt a resolution recognizing the month of May, 2018 as "Drug Court Month" in El Paso County, Texas.

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

**MOTION: APPROVE**

Motion made by Commissioner Leon  
Seconded by Commissioner Stout

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

D. Approve and adopt a resolution declaring Saturday, May 19, 2018 as "National Kids to Parks 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

E. Approve and adopt a resolution declaring Saturday, May 19, 2018 as "The El Paso Playhouse 55th Anniversary 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 Haggerty

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

#### 5. PUBLIC COMMENT

Pierre Andre Euzarraga, concerned citizen, addressed the Court regarding Marijuana policy and the agricultural difference between marijuana and hemp.

#### BOARD APPOINTMENTS

6. Approve and authorize the reappointment of Matthew Keats to the County of El Paso Civil Service Board for the term beginning May 14, 2018 through May 13, 2020.

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

**MOTION: APPROVE**

Motion made by Commissioner Stout  
Seconded by County Judge Vogt

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

7. Approve and authorize the reappointment of County Judge Ruben Vogt's appointee, Connie Crawford, to the Housing Authority Board for the term beginning May 15, 2018 through May 14, 2020.

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

**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

*Minutes of the El Paso County Commissioners Court, May 14, 2018*

## **ECONOMIC DEVELOPMENT**

8. Approve and authorize the County Judge to sign the Borderplex Alliance Air Service Initiative (BAASI) Project Consultant Services Agreement, to share costs for consulting services to develop new non-stop air routes from El Paso to key business destinations. Funds in the amount of \$9,667 are available. (Contract 2018-0262)

*Jose Quinonez, A.Z.S., C.M., Director, Economic Development Department (915) 546-2177*

### **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

## **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.

11. Approve and authorize the El Paso County Sheriff's Office to apply for the Bulletproof Vest Partnership/Body Armor Safety Initiative from the Office of Justice Programs – US Department of Justice for 60 vests in the amount of \$16,770 with a 50% County match, for a total project cost in the amount of \$33,540. *Sheriff Richard D. Wiles, El Paso County Sheriff's Office (915) 546-2262 x 4173*

### **MOTION: APPROVE**

Motion made by Commissioner Leon  
Seconded by Commissioner Perez

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

## **PURCHASING**

10. Approve and authorize the Purchasing Agent to reject all responses and end the procurement process for RFP# 18-013, Prisoner Extradition and Transportation Services for the County of El Paso Sheriff's Department.

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

### **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

9. Rescind the Online Enrollment portion of RFP # 17-033, Long Term Disability/Short-Term Disability/Benefits On-Line Enrollment/ Pre-Paid Legal Services for the County of El Paso to Benefit Focus Charleston, SC. Further, approve and authorize the Purchasing Agent to solicit proposals for Online Enrollment. 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: RESCIND THE ONLINE ENROLLMENT PORTION OF RFP # 17-033, LONG TERM DISABILITY/SHORT-TERM DISABILITY/BENEFITS ON-LINE ENROLLMENT/ PRE-PAID LEGAL SERVICES FOR THE COUNTY OF EL PASO TO BENEFIT FOCUS CHARLESTON, SC. FURTHER, APPROVE AND AUTHORIZE THE PURCHASING AGENT TO SOLICIT PROPOSALS FOR ONLINE ENROLLMENT.**

Motion made by Commissioner Haggerty  
Seconded by Commissioner Stout

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

## **BUDGET AND FINANCE**

12. Approve amendment No. 31 to the County of El Paso's 2017-2018 operating budget. This budgetary amendment will not increase or decrease the overall budget of \$485,296,810.37.

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

### **MOTION: APPROVE**

Motion made by Commissioner Haggerty  
Seconded by Commissioner Perez

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

### **13. RECESSED INTO EXECUTIVE SESSION AT 10:39 A.M.**

A. Discuss findings regarding persons necessary in Executive Session.

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

B. 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*

C. Discuss pending litigation styled Raymond Ancheta v. El Paso County and El Paso County Sheriff Department; Cause No. 201-DCV-3080; County Attorney's file number 0237-14-LD, pursuant to Texas Government Code Section 551.071.

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

D. 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*

E. 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, A.Z.S., C.M., Director, Economic Development Department (915) 546-2177*

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

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

### **REGULAR SESSION RECONVENED AT 11:48 A.M.**

14. 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*

**MOTION: APPROVE AND AUTHORIZE THE COUNTY JUDGE TO SIGN THE SETTLEMENT AND RELEASE OF ALL CLAIMS AGREEMENT IN THE MATTER OF FRANCISCO A. ORTIZ V. EL PASO COUNTY, TEXAS, ET AL.; CAUSE NO. 2016DCV4247, COUNTY ATTORNEY'S CASE NUMBER 0273-16-LD, AS NEGOTIATED BY THE COUNTY ATTORNEY'S OFFICE.**

Motion made by Commissioner Leon

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

Seconded by Commissioner Perez

Members Voting Nay: None

15. Approve and authorize the County Judge to sign a Chapter 381 Economic Development agreement with WestStar Tower, LLC. (Contract No. 2017-0757)

*Jose Quinonez, A.Z.S., C.M., Director, Economic Development Department (915) 546-2177*

**MOTION: APPROVE A CHAPTER 381 ECONOMIC DEVELOPMENT AGREEMENT WITH WESTSTAR TOWER, LLC IN THE TOTAL INCENTIVE AMOUNT OF \$2,934,721.72.**

Motion made by County Judge Vogt

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

Seconded by Commissioner Perez

Members Voting Nay: None

**MEETING ADJOURNED AT 11:51 A.M.**

**EL PASO COUNTY  
COMMISSIONERS COURT**

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Commissioner, Pct. 1

**VINCENT PEREZ**  
Commissioner, Pct. 3



**DAVID STOUT**  
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**COMMISSIONERS COURT REGULAR MEETING MINUTES  
MONDAY, MAY 14, 2018**

**MEETING ADJOURNED AT 11:51 A.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