

**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, OCTOBER 22, 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

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 meetings of July 2, 2018; July 9, 2018; July 16, 2018; July 23, 2018 and July 30, 2018 and the special meetings of July 26, 2018; July 26, 2018 and July 31, 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. Approve and authorize the County Judge to sign the WestlawPRO Select Products Modification Addendum to the Westlaw Master Software Agreement, increasing the number of seats on the contract from 90 to 100 allowing more access to the research software by an additional 10 employees in the District Attorney's Office. Funding is available in GF-DA-BOOKS&SUBSCRIPT. Further, approve the reallocation of funding in the amount of \$7,321 from GF-DA-OFFICE EXPENSE to GF-DA-BOOKS&SUBSCRIPT. (Contract No. 2018-0747)
Jaime Esparza, District Attorney, District Attorney's Office (915) 546-2059
- D. Approve and authorize the changes to the November 6, 2018 Election Day polling locations, as listed in the backup.
Lisa Wise, Elections Administrator, Elections Department (915) 546-2154
- E. Approve and authorize the County Judge to sign the Employee Staffing Agreement Between The County of El Paso, Texas and RMP Temps. Incorporated (RMP), for temporary employment services during election terms from October 1, 2018 through September 30, 2019 in the estimated amount of up to \$50,000. Funding is available in GF-ELECTIONS-ELECTIONS EXPENSE. (Contract No. 2018-0710)
Lisa Wise, Elections Administrator, Elections Department (915) 546-2154
- F. Approve and authorize the County Judge to sign the Second and Final Option To Renew Agreement with Henneburg Counseling Center, P.C., on behalf of the El Paso County Juvenile Probation Department, from December 1, 2018 through November 30, 2019 in the estimated amount of \$5,000. Funding is available in SR-JPDSUP-PROF SVC-GEN. (Contract No. 2018-0581)
Roger Martinez, Chief Juvenile Probation Officer, Juvenile Justice Center (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, Executive Director, Public Works Department (915) 546-2015
- H. Approve and authorize the County Judge to sign the Property Owner Letter of Authorization allowing Crown Castle/Crown Atlantic to obtain city building permits to make modifications to its communications tower located at Ascarate Park, pursuant to the lease agreement (2017-0699) entered into with the County.
Norma R. Palacios, Executive Director, Public Works Department (915) 546-2015
- I. Approve the acceptance of Morningside at Mission Ridge Unit Four and authorize the filing and recording of the subdivision plat.
Norma R. Palacios, Executive Director, Public Works Department (915) 546-2015
- J. Approve and authorize the County Judge to sign the First Amendment To Lease Agreement - Justice of the Peace Pct. #1, with the Shalom Group, L.P., to authorize the application and removal of signage to the interior or exterior walls of the leased premises. (Contract No. 2018-0708)
Norma R. Palacios, Executive Director, Public Works Department (915) 546-2015
- K. 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, Purchasing Department (915) 546-2048
- L. Accept the quarterly report from the Office of Emergency Management.
Deputy Chief Jorge A. Rodriguez, Office of Emergency Management (915) 240-3171

M. Accept the quarterly report from the El Paso County Housing Authority.
Miguel Hernandez, Executive Director, El Paso County Housing Authority (915) 764-3559

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

4. PUBLIC COMMENT

Pierre Andre Euzarraga, with Emerald Star Global Industries, addressed the Commissioners Court regarding marijuana legislation and an altercation that he was recently involved in.

COMMISSIONERS COURT

5. Discuss and take appropriate action to have El Paso County participate in the Paso Del Norte Complete Count Committee and the Census 2020 Action Team. Further, authorize the El Paso County Judge and members of the Commissioners Court to sign a resolution in support of the formation of the Paso Del Norte Complete Count Committee and the Census 2020 Action Team.

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

MOTION: APPROVE

Motion made by Commissioner Stout
Seconded by Commissioner Leon

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

LITIGATION, JUSTICE, AND LAW ENFORCEMENT

6. Approve and authorize the County Judge to accept the Office of the Governor Criminal Justice Division grant award for the County Attorney's Office Victim Resource Program in the amount of \$72,000 with a County match of \$18,000 from the County General Fund and a \$4,000 in-kind match from the El Paso County Attorney's Office for a total project amount of \$94,000, for the grant period beginning October 1, 2018 through September 30, 2019. Further, authorize the County Judge to sign the Resolution as a requirement of the grant. (Contract No. 2018-0754)

Gabriella M. Reed, Assistant County Attorney, County Attorney's Office (915) 546-2050

MOTION: APPROVE

Motion made by Commissioner Leon
Seconded by Commissioner Stout

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

7. Approve and authorize the County Judge to accept the Office of the Governor, Criminal Justice Division, Victims of Crime Act Formula Grant Program Award for for the District Attorney's Office Victim Assistance Program for FY19 and FY20, in the amount of \$624,532, with a County match of \$163,073 and a \$400 grantee in-kind match, for a project total of \$788,005 from October 1, 2018 through September 30, 2020. Further, authorize the County Judge to sign the accompanying resolution. (Contract No. 2018-0755)

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

MOTION: APPROVE

Motion made by Commissioner Leon
Seconded by Commissioner Perez

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

8. Approve and authorize the County Judge to sign the FY 2018 Edward Byrne Memorial Justice Assistance Grant (JAG) award (2018-0714) in the amount of \$220,208 and further sign the Interlocal Agreement with the City of El Paso (2018-0679) for the period of October 1, 2017 to September 30, 2021 with no match required. Sheriff Richard D. Wiles, El Paso County Sheriff's Office (915) 546-2000

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

HUMAN RESOURCES

9. Approve the rehire of County retiree Eileen Lopez, effective October 22, 2018, as a full-time regular Compliance Officer (G27) for County Criminal Court at Law No. 2, as required by Texas County & District Retirement System (TCDRS) and County policy, and further authorize her hire at a step 6. Funds for this position have been budgeted through the SAMHSA grant (2018-0520), and there will be no impact to the County's General Fund.

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

MOTION: APPROVE

Motion made by Commissioner Stout
Seconded by Commissioner Leon

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

PUBLIC WORKS

10. Approve and authorize the County Judge to sign the fourth Maintenance Agreement Addendum to the thyssenkrupp Elevator Master Agreement to include the wheelchair lifts at the Jail Annex for an additional \$1,024/month. Funding is available in GF-PWSOJAILAMNT-CONTR SVC-GEN. (Contract No. 2018-0298)
Norma Rivera Palacios, Executive Director, Public Works Department (915) 546-2015

MOTION: POSTPONE ONE WEEK.

Motion made by Commissioner Stout
Seconded by County Judge Vogt

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

11. Approve and authorize the County Judge to sign the Texas Department of Transportation (TxDOT) FY 2019 Federal Transit Administration (FTA) Fleet Replacement Project Grant Agreement (PGA) in the amount of \$310,000 with a County match of \$310,000. (Contract No. 2018-0699)

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

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

PURCHASING

12. Approve and authorize the purchase of a Universal Power Supply for the Information Technology Department (ITD), using the Department of Information Resources (DIR) Contract # DIR-TSO-4167 awarded to Advanced Network Management, Inc. of Las Cruces, New Mexico in the amount of \$121,368.90. Purchasing approved on 10/13/2018. Funding available in CIP18-ITD-IT EQUIPMENT.

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

MOTION: APPROVE

Motion made by Commissioner Leon
Seconded by Commissioner Perez

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

13. Approve and authorize the purchase of Security X-Ray Equipment for Justice of the Peace Precincts 2 and 6, using General Services Administration (GSA) Contract GS-07F-0182T awarded to Astrophysics, Inc. of City of Industry, CA in the total amount of \$66,104. Purchasing approved on 10/13/2018. Funding is available in SR-JUSTCRTSEC-CAP OUT-EQUIP.

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

MOTION: DELETE

Motion made by Commissioner Perez
Seconded by County Judge Vogt

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

14. Approve and authorize the Purchasing Agent to solicit proposals for Supervised Visits and Exchange Services for families who are victims of domestic violence. In accordance with Local Government Code §262.030, the Purchasing Agent has reviewed the use of the Request for Proposal (RFP) process.

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

MOTION: APPROVE

Motion made by Commissioner Leon
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.

15. Approve and authorize the El Paso Veterans Treatment Court Program to apply for the Texas Veterans Commission Fund for Veterans' Assistance, Veterans Treatment Court Grant, in the amount of \$300,000 for the grant cycle to begin July 1, 2019 through June 30, 2020. A County match is not required.
Silvia Serna, Veterans Program Director, El Paso Veterans Treatment Court Program (915) 546-2119

MOTION: APPROVE

Motion made by Commissioner Stout
Seconded by Commissioner Leon

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

17F. Pursuant to Texas Government Code Section 551.0725, discuss contract negotiations between El Paso County and the El Paso County Hospital District dba University Medical Center of El Paso for medical and mental health services.
Betsy C. Keller, CM, Chief Administrator, County Administration (915) 546-2215

MOTION: (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 REGARDING THE DISCUSSION OF CONTRACT NEGOTIATIONS BETWEEN EL PASO COUNTY AND THE EL PASO COUNTY HOSPITAL DISTRICT DBA UNIVERSITY MEDICAL CENTER OF EL PASO FOR MEDICAL AND MENTAL HEALTH SERVICES, PURSUANT TO TEXAS GOVERNMENT CODE § 551.0725.

Motion made by County Judge Vogt
Seconded by Commissioner Stout

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

17. INTO EXECUTIVE SESSION AT 10:43 A.M.

A. Discuss findings regarding persons necessary in Executive Session.
County Attorney's Office (915) 546-2050

B. Discuss a collective bargaining contract grievance involving Marco Carrillo, pursuant to Texas Government Code Section 551.071.
Holly C. Lytle, Assistant County Attorney, County Attorney's Office (915) 538-2050

C. Discuss the pending EEOC claim and potential litigation of Charge No. 453-2018-00229; County Attorney's file number 0310-17-EE, pursuant to Texas Government Code Section 551.071.
Jed Untereker, Assistant County Attorney, 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.
Ian R. Kaplan, 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 Forester, pursuant to Texas Government Code Section 551.087.
Jose Quinonez, A.Z.S C.M, Director, Economic Development Department (915) 546-2177

F. Pursuant to Texas Government Code Section 551.0725, discuss contract negotiations between El Paso County and the El Paso County Hospital District dba University Medical Center of El Paso for medical and mental health services.
Betsy C. Keller, CM, Chief Administrator, County Administration (915) 546-2215

REGULAR SESSION RECONVENED AT 12:04 P.M.

18. Discuss and take appropriate action concerning the collective bargaining contract grievance involving Marco Carrillo.

Holly C. Lytle, Assistant County Attorney, County Attorney's Office (915) 538-2050

MOTION: APPROVE AND AUTHORIZE THE COUNTY JUDGE TO SIGN THE SETTLEMENT AGREEMENT IN THE MARCO CARRILLO CONTRACT GRIEVANCE.

Motion made by County Judge Vogt

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

Seconded by Commissioner Stout

Members Voting Nay: None

BUDGET AND FINANCE

16. Approve amendment No. 2 to the County of El Paso's 2018-2019 operating budget. This budgetary amendment will increase Grants by \$3,547,067.08 and decrease Enterprise by \$2,000,000 thus increasing the overall budget of \$428,607,277.80 to \$430,151,344.88.

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

MOTION: APPROVE

Motion made by Commissioner Perez

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

Seconded by Commissioner Leon

Members Voting Nay: None

MEETING ADJOURNED AT 12:08 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, OCTOBER 22, 2018**

MEETING ADJOURNED AT 12:08 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