

**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, NOVEMBER 26, 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. 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. Approve and authorize the County Judge to sign the Equitable Sharing Agreement & Certification No. TX071015A / Yr 2018 for submission to the Department of Justice by the 34th Judicial District Attorney's Office. (Contract No. 2018-0844)
Jaime Esparza, District Attorney, District Attorney's Office (915) 546-2059
- C. Approve and authorize the County Judge to sign the Psychological Services Agreement Between El Paso County and Integrity EAP, d.b.a WellConnect, for psychological services provided for employment related purposes of the Human Resources Office (Sheriff's Division) for a term beginning December 1, 2018 through November 30, 2020 in an approximate amount of \$14,250. Funding is available in GF-HR-PROF SVS-GEN. (Contract No. 2018-0746)
Melissa M. Carrillo, PHR, Chief Human Resources Officer, Human Resources Department (915) 546-2218
- D. Approve and authorize the County Judge to sign the First Amendment To Memorandum Of Understanding (MOU) OSAR Region 10 with Emergence Health Network (EHN) and the El Paso County Juvenile Probation to address the deadlines imposed in processing referrals. (Contract No. 2018-0832)
Roger Martinez, Chief Juvenile Probation Officer, Juvenile Justice Center (915) 849-2500
- E. Approve and authorize the County Judge to sign the letter of termination on behalf of the El Paso County Juvenile Probation Department with Stericycle.
Roger Martinez, Chief Juvenile Probation Officer, Juvenile Justice Center (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, Director, Public Works Department (915) 546-2015
- G. Approve and authorize the County Judge to sign the Request for Access Rights to e-Grants System to allow Public Works staff to submit grant applications. (OP 18-653)
Norma R. Palacios, Director, Public Works Department (915) 546-2015
- H. Approve and authorize the County Judge to sign a permanent easement agreement with Luis and Febe Delgado, to use a portion of their property to construct a 10 foot bottom channel along Mankato Road. (Contract No.2018-0463)
Norma R. Palacios, Public Works Director, Public Works Department (915) 546-2015
- I. 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
- J. Approve and authorize the County Judge to sign the Overtime Agreement(s) for reimbursement in the amount of \$15,000 for 1 Lieutenant, 1 Sergeant & 6 Detectives through the Organized Crime Drug Enforcement Task Force (OCDETF) Program through September 30, 2019. (Contract No. 2018-0843)
Jack Waite, Lieutenant, EPCSO-HIDTA Task Force (915) 832-6150
- K. Pursuant to Article 59.06(g) of the Code of Criminal Procedures, approve and authorize the Chapter 59 Asset Forfeiture and Seizure annual reports as submitted by the El Paso County Border Crime Initiative (Contract 2018-0846), El Paso County Metro Criminal Enterprise Unit (Contract No. 2018-0847), and the El Paso County Metro Task Force (Contract No. 2018-0848) for the reporting period of September 1, 2017 through August 31, 2018. This certification is completed annually and reports funds received and how those funds were spent to the Office of the Attorney General of Texas.
Sheriff Richard D. Wiles, El Paso County Sheriff Office (915) 772-8665

L. Accept the Quarterly Report from the Chief Administrator.
Betsy C. Keller, CM, Chief Administrator, County Administration (915) 546-2215

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

4. RESOLUTIONS

A. Approve and adopt a resolution recognizing the County Elections Department.
Vincent M. Perez, Commissioner, Pct. 3 (915) 546-2144

MOTION: APPROVE

Motion made by Commissioner Perez
Seconded by Commissioner Stout

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

B. Approve and adopt a resolution recognizing Dr. Steven Bednarczyk and his contributions to the County of El Paso.

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

MOTION: APPROVE

Motion made by Commissioner Haggerty
Seconded by Commissioner Stout

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

C. Approve and adopt a resolution declaring the month of November 2018 as "El Paso Veterans Affairs Health Care System Appreciation Month" 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

County Judge Vogt wished Commissioner Perez a Happy Birthday and thanked him for his contributions to the community.

Steven Strummer, concerned citizen, addressed the Court regarding an intra-district fire safety and emergency services organization for the County of El Paso and gave an example of the need for this type of entity.

Pierre Andre Euzarraga, with Emerald Star Global Industries and founder of The American Political Party, addressed the Court regarding the need to unify the citizens of the United States, and the need to legalize marijuana/cannabis.

COMMISSIONERS COURT

6. Discuss and take appropriate action to authorize the placement of collection bins on the 3rd floor lobby and in various El Paso County Courthouse locations for the Carlos Leon 3rd Annual Benefit Drive starting November 27, 2018 through December 21, 2018, in partnership with the El Paso Veterans and Riders Association, which will be donated to the VRA and El Paso's Foster Children.

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

AUDITOR

7. Pursuant to the Texas Local Government Code § 114.023, 114.024, 114.025 and 114.026, please accept the attached presentation and the interim financial report for the month ended October 31, 2018. The interim financial report is located on the intranet at:

<http://www.epcounty.com/auditor/publications/monthlyreports.htm> .

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

MOTION: ACCEPT

Motion made by County Judge Vogt
Seconded by Commissioner Stout

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

JUDICIARY AND CORRECTIONS

8. Approve and authorize the County Judge to sign the Special Needs Diversionary Program (SNDP) Intensive In-Home Mental Health Services agreement with Pinnacle Social Services LLC, on behalf of the El Paso County Juvenile Probation Department in an estimated amount of \$295,000 from November 1, 2018 through October 31, 2021. Funding is available in GF-JPD-PROF SVC-GEN; PROJ HOPE – JUV MENTAL HEALTH CT 19 Grant and TJJD SPECIAL NEEDS DIV PROG 2019 (GTJJDM2019). (Contract No. 2018-0706)

Roger Martinez, Chief Juvenile Probation Officer, Juvenile Justice Center (915) 849-2500

MOTION: POSTPONE ONE WEEK.

Motion made by Commissioner Stout
Seconded by Commissioner Perez

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

HUMAN RESOURCES

9. Approve and authorize the Career Progression Plan for Deputy Constables within the County.

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

MOTION: POSTPONE 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

10. Approve and authorize the revision of the County of El Paso's Pay Upon Demotions Policy.

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

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

11. Approve and authorize the revision of the County of El Paso's Anti-Harassment Policy.

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

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

12. Approve and authorize the hiring of six (6) temporary Animal Control Officers at the cost of \$58,860, utilizing funds from two (2) vacant Deputy Sheriff positions at the cost of \$67,384 for a period of six months. Funding is available in the GF-SOPATROL salary and fringe accounts.

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

MOTION: APPROVE

Motion made by Commissioner Haggerty
Seconded by Commissioner Leon

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

13. Approve and authorize the revision of the County of El Paso's Personal Conduct and Affairs Policy. Melissa M. Carrillo, PHR, Chief Human Resources Officer, Human Resources Department (915) 546-2218

MOTION: APPROVE

Motion made by Commissioner Leon
Seconded by Commissioner Perez

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

INFORMATION TECHNOLOGY

14. Approve and authorize the County Judge to sign the services agreement with Continuant, Inc. Funding is available in GF-ITD-MAINT/REP-SOFTWARE. (Contract No. 2018-0559)

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

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

15. Approve and authorize the purchase of Two (2) Liebert HVAC Units for ITD Server Room located at the County MDR Building using Region 19 Allied States Cooperative Contract RFP 18-7293 awarded to Trane U.S. of El Paso, Texas in the total amount of \$243,364.89. Purchasing approved on 11/15/2018. Funding is 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

16. Approve and authorize the purchase of First Responder Protective Mask Kit using Texas SmartBuy Contract 345-A2 awarded to Con10gency of Schertz, Texas in the amount of \$52,700. Purchasing approved on 11/15/2018. Funding is available in GHSSPET17 EQUIPMENT.

Debra Carrejo, CPPO, CPPB, 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

17. Approve the award of RFP 18-030 Third Party Administrator for Health and Dental Benefits for the County of El Paso to Aetna Life Insurance Company, of Hartford, CT. Purchasing approved recommendation on 11/19/2018. Funding is available through the Risk Pool Health Funds.

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

MOTION: POSTPONE 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

18. Approve award of RFP 18-038 Provider of Prescription and/or Dental Care Discount Cards for the County of El Paso to Phoenix Benefits Management of Cumming, GA. Purchasing approved recommendation on 11/15/18.

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

MOTION: APPROVE

Motion made by Commissioner Leon
Seconded by County Judge Vogt

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

BUDGET AND FINANCE

19. Approve and authorize the reallocation of 2012 Bond funds in the amount of \$6,336,165, to allow for the purchase of ElectionWare as permissible by the 2012 bond order. Further, approve the transfer from CP-CPCAPITAL12-MISCELLANEOUS to CP-CPCNTYCAP12-EQUIPMENT in the same amount.
Wallace Hardgrove, Executive Director, Budget and Fiscal Policy Department (915) 546-2262

MOTION: APPROVE AND AUTHORIZE THE REALLOCATION OF 2012 BOND FUNDS IN THE AMOUNT OF \$5,800,000, TO ALLOW FOR THE PURCHASE OF ELECTIONWARE AS PERMISSIBLE BY THE 2012 BOND ORDER. FURTHER, APPROVE THE TRANSFER FROM CP-CPCAPITAL12-MISCELLANEOUS TO CP-CPCNTYCAP12-EQUIPMENT IN THE SAME AMOUNT.

Motion made by County Judge Vogt
Seconded by Commissioner Stout

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

20. Approve amendment No. 07 to the County of El Paso's 2018-2019 operating budget. This budgetary amendment will not increase or decrease the County of El Paso's 2018-2019 overall operating budget of \$433,336,033.39.
Wallace Hardgrove, Executive Director, Budget and Fiscal Policy Department (915) 546-2262

MOTION: APPROVE

Motion made by Commissioner Leon
Seconded by Commissioner Perez

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

21. INTO EXECUTIVE SESSION AT 11:44 A.M.

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

B. Discuss contract negotiations between the County of El Paso with the City of Socorro and the Town of Horizon City regarding ambulance services, pursuant to Texas Government Code § 551.0725.
Betsy C. Keller, CM, Chief Administrator, County Administration Department (915) 546-2215

C. Discuss the pending loan of Eduardo Portillo-Eastlake Furniture; County Attorney File No. 0240-18-AA pursuant to Texas Government Code Section 551.071.
Amanda D. Frizzelle, Assistant County Attorney, County Attorney's Office (915) 546-2050

D. Discuss financial information and economic development negotiations received from a business prospective regarding a Chapter 381 Agreement with Project Buckshot, pursuant to Texas Government Code Section 551.087.
Economic Development Department (915) 546-2177

MEETING RECONVENED AT 11:52 A.M.

21B. Discuss contract negotiations between the County of El Paso with the City of Socorro and the Town of Horizon City regarding ambulance services, pursuant to Texas Government Code § 551.0725.
Betsy C. Keller, CM, Chief Administrator, County Administration Department (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 THE COUNTY OF EL PASO WITH THE CITY OF SOCORRO AND THE TOWN OF HORIZON CITY REGARDING AMBULANCE SERVICES.

Motion made by County Judge Vogt
Seconded by Commissioner Stout

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

21. INTO EXECUTIVE SESSION AT 11:53 A.M.

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

B. Discuss contract negotiations between the County of El Paso with the City of Socorro and the Town of Horizon City regarding ambulance services, pursuant to Texas Government Code § 551.0725.
Betsy C. Keller, CM, Chief Administrator, County Administration Department (915) 546-2215

C. Discuss the pending loan of Eduardo Portillo-Eastlake Furniture; County Attorney File No. 0240-18-AA pursuant to Texas Government Code Section 551.071.
Amanda D. Frizzelle, Assistant County Attorney, County Attorney's Office (915) 546-2050

D. Discuss financial information and economic development negotiations received from a business prospective regarding a Chapter 381 Agreement with Project Buckshot, pursuant to Texas Government Code Section 551.087.
Economic Development Department (915) 546-2177

REGULAR SESSION RECONVENED AT 1:12 P.M.

22. Discuss and take action on the pending loan of Eduardo Portillo-Eastlake Furniture, County Attorney File No. 0240-18-AA.
Amanda D. Frizzelle, Assistant County Attorney, County Attorney's Office (915) 546-2050

MOTION: AUTHORIZE THE COUNTY JUDGE TO RELEASE THE VEHICLE TITLE TO PROGRESSIVE INSURANCE COMPANY.

Motion made by Commissioner Haggerty
Seconded by County Judge Vogt

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

MEETING ADJOURNED AT 1:14 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, NOVEMBER 26, 2018**

MEETING ADJOURNED AT 1:14 P.M.

ATTEST:

DELIA BRIONES, COUNTY CLERK
EL PASO COUNTY, TEXAS

CESAR O. NAVA, DEPUTY CLERK

EXAMINED AND APPROVED BY ME THIS

_____ DAY OF _____, 2019.

COUNTY JUDGE RICARDO A. SAMANIEGO, PRESIDING