

**EL PASO COUNTY
COMMISSIONERS COURT**

CARLOS LEON
Commissioner, Pct. 1

VINCENT PEREZ
Commissioner, Pct. 3



DAVID STOUT
Commissioner, Pct. 2

CARL L. ROBINSON
Commissioner, Pct. 4

RICARDO A. SAMANIEGO
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, MARCH 2, 2020**

HON. RICARDO A. SAMANIEGO	COUNTY JUDGE, PRESIDING	PRESENT
CARLOS LEON	COMMISSIONER, PCT #1	PRESENT
DAVID S. STOUT	COMMISSIONER, PCT #2	VIDEO
VINCENT M. PEREZ	COMMISSIONER, PCT #3	PRESENT
CARL L. ROBINSON	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 9:36 A.M.

2. PLEDGE OF ALLEGIANCE

3. INVOCATION

A. Receive an invocation from Phyllis Peterson.

4. **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 Marijuana Attestation Letter required by the Department of Health and Human Services for the SAMHSA grant awarded to the DWI Drug Court attesting that grant funding will not be used directly or indirectly to purchase, prescribe or provide marijuana for treatment. (Contract No. 2020-0179)

Judge Robert Anchondo, County Criminal Court at Law No. 2 (915) 834-8232

C. Approve and authorize the renewal of the County of El Paso's Burn Ban Order for an additional 90 days effective March 5, 2020.

Ricardo A. Samaniego, County Judge, Commissioners Court (915) 546-2098

D. **DELETE PER INFORMATION TECHNOLOGY DEPARTMENT** - Approve and authorize the County Judge to sign Termination Letter for Ivanti, Inc. to terminate Contract No. 2019-0116 & Contract No. 2019-0114. (OP-20-0090 & OP-20-0091)

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

E. Approve and authorize the County Judge to sign the professional services agreement with Innovative PBX Services, Inc. Funding is available in CIP20-FINANCIALRECOVERY-RENOV. (Contract No. 2020-0099)

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

F. Pursuant to Texas Local Government Code §232.023, approve and authorize the acceptance, filing and recording of the Emerald Heights Unit Two plat.

Jose M. Landeros, Director, Planning & Development Department (915) 546-2015

G. Approve and authorize the County Judge to sign the necessary documents pertaining to donation of Real Property as follows: 126 Horizon City #11 Replat lot 25 on Lima Dr. and 336-A Horizon City #45 Replat lot 9 on Logansport Dr. (Contract No. 2019-0450)

Jose M. Landeros, Director, Planning & Development Department (915) 546-2015

H. 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

I. Approve and authorize the County Judge to sign the Right-of-Entry Agreement with El Paso Water Utilities Public Service Board (EPWATER) to use property, located at 1002 Tiffany Drive for purposes of conducting Community Clean-ups in the Westway area. Funding is available in GF-PWADMIN-COMMUNITY CLEANUPS. (Contract No. 2020-0082)

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

MOTION: APPROVE

Motion by Commissioner Leon

Members Voting Aye: Judge Samaniego, Leon, Stout, Perez, Robinson

Seconded by County Judge Samaniego

Members Voting Nay: None

5. **RESOLUTIONS**

A. Approve and adopt a resolution recognizing Wayne Thornton for his selfless service to the El Paso Community.

Carl L. Robinson, Commissioner, Pct. 4 (915) 546-2044

MOTION: APPROVE

Motion by Commissioner Robinson

Members Voting Aye: Judge Samaniego, Leon, Stout, Perez, Robinson

Seconded by Commissioner Leon

Members Voting Nay: None

B. Approve and adopt a resolution recognizing March 2, 2020, as "Concordia Cemetery Day" in El Paso County, Texas.

Ricardo A. Samaniego, County Judge, Commissioners Court (915) 546-2098

MOTION: APPROVE

Motion by County Judge Samaniego
Seconded by Commissioner Robinson

Members Voting Aye: Judge Samaniego, Leon, Stout, Perez, Robinson
Members Voting Nay: None

C. Approve and adopt a resolution declaring the month of March 2020 as "National Procurement Month" in El Paso County, Texas.

Ricardo A. Samaniego, County Judge, Commissioners Court (915) 546-2098

MOTION: APPROVE

Motion by County Judge Samaniego
Seconded by Commissioner Robinson

Members Voting Aye: Judge Samaniego, Leon, Stout, Perez, Robinson
Members Voting Nay: None

6. PUBLIC COMMENT

NO ACTION

PUBLIC WORKS

19. Discuss and take appropriate action regarding the adoption of a resolution of support for the Borderland Expressway, formerly known as the Northeast Parkway, one of four major projects identified as regional priorities by the El Paso Metropolitan Planning Organization (MPO) and Texas Department of Transportation-El Paso District. (Contract No. 2020-0191) Further, discuss and take appropriate action regarding the adoption of a resolution of support for the Regional Mobility Strategy (RMS) 2020, as adopted by the MPO Transportation Policy Board. (Contract No. 2020-0190)

Jose M. Landeros, Director, Planning & Development Department (915) 546-2015

MOTION: APPROVE AS PRESENTED.

Motion by Commissioner Stout
Seconded by Commissioner Robinson

Members Voting Aye: Stout, Robinson
Members Voting Nay: Judge Samaniego, Leon, Perez

MOTION FAILS

MOTION: APPROVE THE ADOPTION OF A RESOLUTION OF SUPPORT FOR THE REGIONAL MOBILITY STRATEGY (RMS) 2020, AS ADOPTED BY THE MPO TRANSPORTATION POLICY BOARD. (CONTRACT NO. 2020-0190)

Motion by Commissioner Perez
Seconded by County Judge Samaniego

Members Voting Aye: Judge Samaniego, Leon, Perez
Members Voting Nay: Stout, Robinson

PURCHASING

15. Approve the award of Bid 20-003 County's 2020 Road and Bridge Paving Project to JAR Construction Inc, of El Paso, TX in the amount of \$2,772,500. Purchasing approved on February 19, 2020. Funding is available in SR-R&B-ROAD RESURFACING.

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

MOTION: APPROVE

Motion by County Judge Samaniego
Seconded by Commissioner Leon

Members Voting Aye: Judge Samaniego, Leon, Stout, Perez, Robinson
Members Voting Nay: None

PUBLIC WORKS

17. Approve and authorize the County Judge to sign the Second Amendment to the Interlocal VRF Project Development Agreement for the Pellicano Drive Roadway Improvement Project with the Camino Real Regional Mobility Authority to add construction funds to the Pellicano Widening & Reconstruction Project. No County funds are required. (Contract No. 2020-0170)

Jose M. Landeros, Director, Planning & Development Department (915) 546-2015

MOTION: APPROVE

Motion by Commissioner Robinson
Seconded by County Judge Samaniego

Members Voting Aye: Judge Samaniego, Leon, Stout, Perez, Robinson
Members Voting Nay: None

18. Approve and authorize the County Judge to sign the First Amendment to the Interlocal Agreement VRF Project Development Agreement for the Mission Ridge Blvd., Phase 2 Project with the Camino Real Regional Mobility Authority authorizing the construction of Mission Ridge Boulevard Phase II Roadway Improvements. (Contract No. 2020-0143)

Jose M. Landeros, Director, Planning & Development Department (915) 546-2015

MOTION: APPROVE

Motion by Commissioner Leon

Members Voting Aye: Judge Samaniego, Leon, Stout, Perez, Robinson

Seconded by County Judge Samaniego

Members Voting Nay: None

7. PRESENTATION

A. Receive a presentation from various Census stakeholders regarding the Census Creative and the County's investment.

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

PRESENTATION RECEIVED

B. Receive a presentation and discuss the monthly report from the Council of Judges.

Michael Cuccaro, Executive Director, Council of Judges (915) 546-2143

PRESENTATION RECEIVED

C. Receive a presentation regarding a proposed El Paso County Desert Food Festival.

Andrea Adkins-Hutchins, Director, Economic Development Department (915) 546-2177

PRESENTATION RECEIVED

MEETING RECESSED AT 12:37 P.M.

MEETING RECONVENED AT 1:20 P.M.

**COMMISSIONER VINCENT M. PEREZ WAS ABSENT FROM THIS POINT
THROUGH THE REMAINDER OF THE MEETING**

PURCHASING

8. Approve award recommendation for Bid 19-031 Tornillo Shared Use Path to Del Mar Contracting Inc., of El Paso, TX in the amount of \$2,201,526.60. Purchasing approved on February 20, 2020. Funding is available in SG-OTSMITHSHARE-OPERATING EXP and GF-EPCMP-PROF SVC-GEN.

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

MOTION: APPROVE

Motion by Commissioner Leon

Members Voting Aye: Judge Samaniego, Leon, Stout, Robinson

Seconded by County Judge Samaniego

Members Voting Nay: None

9. Approve the award of RFQ 20-002, Professional Financial Auditing Services for the County of El Paso to highest scoring firm Gibbison, Ruddock, Patterson LLC of El Paso, TX. Purchasing approved recommendation on February 19, 2020. Funding is available in GF-GADM-PROF SVC-EXT.

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

MOTION: APPROVE

Motion by Commissioner Leon

Members Voting Aye: Judge Samaniego, Leon, Stout, Robinson

Seconded by Commissioner Robinson

Members Voting Nay: None

10. Approve the purchase of Network Monitor and Back-Up for Information Technology Department using Texas DIR Contract DIR-TSO-4167 awarded to Pivot Technology Services Corp. of El Paso, TX in the amount of \$71,797.36. Purchasing approved on February 19, 2020. Funding is available in CIP20-ITD-IT EQUIPMENT.

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

MOTION: APPROVE

Motion by Commissioner Leon
Seconded by Commissioner Robinson

Members Voting Aye: Judge Samaniego, Leon, Stout, Robinson
Members Voting Nay: None

11. Rescind the Court order of February 3, 2020, Item # 12 on the Regular Agenda to approve the purchase of 50 Microsoft Surface Pro 6 Tablets and accessories for the Information Technology Department using DIR Contract DIR-TSO 3373 awarded to SHI Government Solutions of Austin, TX in the amount of \$54,625. Purchasing approved on January 28, 2020. Funding is available in CP-REPLACE20-EQ NONCAP-TABLETS. Further, approve the purchase of 50 Microsoft Surface Pro 6 Tablets and Accessories for Information Technology Department using DIR Contract DIR-TSO-3373 awarded to Southern Computer Warehouse of Marietta, GA in the amount of \$56,109. Purchasing approved on February 19, 2020. Funding is available in CP-REPLACE20-EQ NONCAP-TABLETS.

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

MOTION: APPROVE

Motion by Commissioner Robinson
Seconded by Commissioner Stout

Members Voting Aye: Judge Samaniego, Leon, Stout, Robinson
Members Voting Nay: None

12. Approve the purchase of 600 desktop computers model HP ProDesk 600 and Accessories for Information Technology Department using Region 19 Contract 19-7327 awarded to SHI Government Solutions of Austin, TX in the amount of \$536,076. Purchasing approved on February 19, 2020. Funding is available in CP-REPLACE20-EQ NONCAP-DESKTOP.

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

MOTION: APPROVE

Motion by Commissioner Robinson
Seconded by Commissioner Leon

Members Voting Aye: Judge Samaniego, Leon, Stout, Robinson
Members Voting Nay: None

13. Approve the purchase and installation of Thirty-One All Band MP Mobile APX8500 Radios for the County of El Paso using Texas DIR Contract DIR-TSO-4101 awarded to Motorola Solutions, Inc. of Chicago, IL in the amount of \$176,749.60. Purchasing approved on February 19, 2020. Funding is available in CP-REPLACE20-RADIO EQUIP.

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

MOTION: APPROVE

Motion by Commissioner Robinson
Seconded by County Judge Samaniego

Members Voting Aye: Judge Samaniego, Leon, Stout, Robinson
Members Voting Nay: None

14. Pursuant to Texas Local Government Code Section 262.024, approve and authorize the use of an exemption to purchasing procedures that allows a contract with Public Sector Personnel Consultants (PSPC) for the purchase of a personal or professional service, regarding as-needed professional consulting services for employee classification and compensation reviews. Funding is available in GF-HR-CONTR SVC-GEN.

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

MOTION: APPROVE

Motion by Commissioner Leon
Seconded by County Judge Samaniego

Members Voting Aye: Judge Samaniego, Leon, Stout, Robinson
Members Voting Nay: None

PUBLIC WORKS

16. Approve and authorize the County Judge to sign the Texas Commission on Environmental Quality - Texas Volkswagen Environmental Mitigation Program grant award for a 24 month period, beginning on the date of signature, for two box street sweepers in the amount of \$308,910 with a cash match of \$221,090. Funding is available in GF-GADM-XFER OUT-GRANT MATCH or CP-IMPROV01-MISCELLANEOUS. (Contract No. 2020-0123)

Hopeton Staple, Fleet Operations Director, Fleet Operations Department (915) 546-2057

MOTION: APPROVE

Motion by Commissioner Leon
Seconded by County Judge Samaniego

Members Voting Aye: Judge Samaniego, Leon, Stout, Robinson
Members Voting Nay: None

BUDGET AND FINANCE

20. Receive a presentation on County of El Paso grants to discuss and take appropriate action regarding level of current and future funding needs.

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

PRESENTATION RECEIVED

21. Approve amendment No. 20 to the County of El Paso's 2019-2020 operating budget. This budgetary amendment will increase Grants by \$2,497.77, thus increasing the overall budget of \$474,623,473.59 to \$474,625,971.36.

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

MOTION: APPROVE

Motion by County Judge Samaniego
Seconded by Commissioner Leon

Members Voting Aye: Judge Samaniego, Leon, Stout, Robinson
Members Voting Nay: None

22. INTO EXECUTIVE SESSION AT 1:48 P.M.

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

B. Discuss the pending claim submitted by Yesenia De La Cruz; County Attorney's file number 0215-19-LC, pursuant to Texas Government Code Section 551.071.
Ian R. Kaplan, Assistant County Attorney, County Attorney's Office (915) 546-2050

C. Discuss the pending claim submitted by Maria Favela; County Attorney's file number 0272-19-LC, pursuant to Texas Government Code Section 551.071.
Ian R. Kaplan, Assistant County Attorney, County Attorney's Office (915) 546-2050

D. Discuss grievance regarding County Attorney's case number 0001-20-GR, pursuant to Texas Government Code Section 551.071.
Michael A. Gomez, Assistant County Attorney, County Attorney's Office (915) 546-2050

E. Discuss the pending claim submitted by Muriel Montrose; County Attorney's file number 0013-20-LC, pursuant to Texas Government Code Section 551.071.
Michael A. Gomez, Assistant County Attorney, County Attorney's Office (915) 546-2050

F. Discuss financial information and economic development negotiations received from a business prospective regarding a 381 Agreement with Project BorderFlix, pursuant to Texas Government Code Section 551.087.
Andrea Adkins-Hutchins, Director, Economic Development Department (915) 546-2177

G. Discuss financial information and economic development negotiations received from a business prospective regarding a 381 Agreement with Project Solar, pursuant to Texas Government Code Section 551.087.
Andrea Adkins-Hutchins, Director, Economic Development Department (915) 546-2177

REGULAR SESSION RECONVENED AT 2:30 P.M.

23. Discuss and take action on the pending claim of Yesenia De La Cruz; County Attorney's file number 0215-19-LC.

Ian R. Kaplan, Assistant County Attorney, County Attorney's Office (915) 546-2050

MOTION: DENY THE CLAIM OF YESENIA DE LA CRUZ; COUNTY ATTORNEY'S FILE NUMBER 0215-19-LC.

Motion by County Judge Samaniego

Members Voting Aye: Judge Samaniego, Leon, Stout, Robinson

Seconded by Commissioner Robinson

Members Voting Nay: None

24. Discuss and take action on the pending claim of Maria Favela; County Attorney's file number 0272-19-LC.

Ian R. Kaplan, Assistant County Attorney, County Attorney's Office (915) 546-2050

NO ACTION

25. Discuss and take appropriate action regarding grievance; County Attorney's case number 0001-20-GR.

Michael A. Gomez, Assistant County Attorney, County Attorney's Office (915) 546-2050

26. Discuss and take appropriate action on the pending claim of Muriel Montrose; County Attorney's file number 0013-20-LC.

Michael A. Gomez, Assistant County Attorney, County Attorney's Office (915) 546-2050

MOTION: POSTPONE ITEMS #25 AND #26 AND CORRESPONDING EXECUTIVE SESSION ITEMS 22D AND 22E FOR ONE WEEK.

Motion by County Judge Samaniego

Members Voting Aye: Judge Samaniego, Leon, Stout, Robinson

Seconded by Commissioner Leon

Members Voting Nay: None

MEETING ADJOURNED AT 2:33 P.M.

**EL PASO COUNTY
COMMISSIONERS COURT**

CARLOS LEON
Commissioner, Pct. 1

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Commissioner, Pct. 3



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Commissioner, Pct. 2

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**COMMISSIONERS COURT REGULAR MEETING MINUTES
MONDAY, MARCH 2, 2020**

MEETING ADJOURNED AT 2:33 P.M.

ATTEST:

DELIA BRIONES, COUNTY CLERK
EL PASO COUNTY, TEXAS

CESAR O. NAVA, DEPUTY CLERK

EXAMINED AND APPROVED BY ME THIS

_____ DAY OF _____, 2020.

COUNTY JUDGE RICARDO A. SAMANIEGO, PRESIDING