# EL PASO COUNTY COMMISSIONERS COURT

CARLOS LEON Commissioner, Pct. 1

ILIANA HOLGUIN 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, MAY 24, 2021

HON. RICARDO A. SAMANIEGO
CARLOS LEON
COMMISSIONER, PCT #1
DAVID S. STOUT
COMMISSIONER, PCT #2
COMMISSIONER, PCT #3
COMMISSIONER, PCT #3
CARL L. ROBINSON
COMMISSIONER, PCT #4
VIDEOCONFERENCE
VIDEOCONFERENCE
COMMISSIONER, PCT #3
TELECONFERENCE

# MINUTES PREPARED BY CESAR O. NAVA, DEPUTY CLERK JESSICA DOMINGUEZ, DEPUTY CLERK

# 1. MEETING CONVENED

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

#### 2. PLEDGE OF ALLEGIANCE

#### 3. INVOCATION

A. Receive an invocation from Ouisa Davis.

#### 4. CONSENT AGENDA

- A. Approval of the Minutes of the regular meeting of May 10, 2021. County Administration Department (915) 546-2215
- B. Approve and authorize the renewal of the County of El Paso's Burn Ban Order for an additional 90 days effective May 31, 2021. (OP-21-0681)

Daniel Collins, Governmental Affairs Manager, County Administration Department (915) 546-2215

C. Approve and authorize the County Judge to sign the Thomson Reuters West Order Form/Agreement for an online legal research subscription service for the County Attorney's Office for a 3 year term beginning July 1, 2021, in the amount of \$39,764.96 for the full term of the agreement. Funds are available in GF-CNTYATTY-BOOKS&SUBSCRIPT. (Contract No. 2021-0302)

Eddie Sosa, First Assistant County Attorney, County Attorney's Office (915) 546-2050

- D. 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
- E. Approve and authorize the County Auditor to open a separate bank account with Vantage Bank Texas, the County's depository bank, for the sole purpose of compliance with the Tax Foreclosure Agreement for Services. (Contract No. 2021-0150)

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

F. Approve amendment No. 31 to the County of El Paso's 2020-2021 operating budget. This budgetary amendment will increase Grants by \$150,000, thus increasing the overall budget of \$497,965,638.57 to \$498,115,638.57.

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

- G. Approve and authorize the County Judge to sign the Renewal Service Agreement for Counseling Services for the DWI Intervention and Treatment Program with 2love1 for group/individual support services (life skills) for the DWI Drug Court Program Agreement renewal from April 1, 2021, to March 31, 2022. The cumulative total for counseling sessions will not exceed \$25,000 awarded from SAHMSA grant. Funds are available in SG-SAMHSA21-OPERATING EXP. (Contract No. 2021-0299) Judge Robert S. Anchondo, County Criminal Court at Law No. 2 (915) 834-8232
- H. Approve and authorize the County Judge to sign TDHCA-Information Security and Privacy Agreement with the Texas Department of Housing and Community Affairs-Colonia Self Help Center Program, to ensure security and privacy of Protected Information belonging to persons who do business with the Department. (Contract No. 2021-0329)

Irene G. Valenzuela, Executive Director, Community Services Department (915) 775-2708

I. Approve and authorize the County Judge to sign the Phase 38 Interim LRO Report and Second Payment Request from the Emergency Food and Shelter Program (EFSP) Phase 38 from the United Way in the amount of \$19,410.50, for rental and mortgage assistance covering the grant period for FY2020-2021 for the General Assistance Program, a division of the Community Services Department. Funds will be deposited in SG-EMFOODS21-OPERATING EX. (Contract No. 2021-0380)

Irene G. Valenzuela, Executive Director, Community Services Department (915) 775-2708

- J. Approve and authorize the County Judge to sign the Submittal of Project Completion Report (A1200) and related supporting documentation/forms in compliance with the Texas Department of Agriculture-2020 Emergency Services Help for Colonias Program Contract. (Contract No. 2021-0381) Irene G. Valenzuela, Executive Director, Community Services Department (915) 775-2708
- K. Approve and authorize the County Judge to sign an application for Special Event Insurance coverage for FY 2022 with Euclid Public Sector Inc. Funding is available in GF-GADM-INS-GEN/PROPERTY. (Contract No. 2021-0268)

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

L. Approve and authorize the County Judge to sign the Fourth Amendment to the Software License Agreement between the County of El Paso and SoftwareOne. Funding is available in GF-065THDC-OFFICE EXPENSE in the amount of \$57.72. (Contract No. 2021-0336)

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

M. Approve and authorize the County Judge to sign the Terms of Service for LogMeIn and GoTo Services and the US Government /Education Licensee Addendum to Terms of Service with GoToMeeting, on behalf of the El Paso County Juvenile Probation Department, for 8 virtual meeting software licenses to enable visitation to families from May 20, 2021, to May 19, 2022, in the amount of \$960. Funding is available in GF-JPD-PROF SVC-GEN. (Contract No. 2021-0326)

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

N. Approve and authorize the County Judge to sign the Pyrotechnic Display and Services Agreement and the Addendum to Pyrotechnic Display and Services Agreement for Precision Fireworks, LLC, for a 4th of July Fireworks display at Ascarate Park on July 4, 2021, in the amount of \$15,000. Funding is available in GF-PRKS&RECADM-COUNTY EVENTS. (Contract No. 2021-0296)

Veronica Myers, Director, Parks and Recreation Department (915) 771-2380

O. 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

P. Approve and authorize the County Judge to sign the Addendum to Terms and Conditions with Trane U.S. Inc., to install two adaptive frequency drives for the water-cooled Optimus chillers at the MDR building in the amount of \$71,038.16. Funds are available in CIP21-FACILITIES-RENOV-REPAIRS. (Contract No. 2021-0373)

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

Q. 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-Trull, CPPO, CPPB, Purchasing Agent, Purchasing Department (915) 546-2048

#### **MOTION: APPROVE**

Motion by County Judge Samaniego Seconded by Commissioner Holguin Members Voting Aye: Judge Samaniego, Leon, Stout, Holguin, Robinson Members Voting Nay: None

# 5. RESOLUTIONS

A. Approve and adopt a resolution recognizing May 28, 2021, as "Menstrual Hygiene Day" in El Paso County, Texas.

Iliana Holguin, County Commissioner, Pct. 3 (915) 546-2144

# **MOTION: APPROVE**

Motion by Commissioner Holguin Members Voting Aye: Judge Samaniego, Leon, Stout, Holguin, Robinson Seconded by County Judge Samaniego Members Voting Nay: None

B. Approve and adopt a resolution declaring Monday, May 31, 2021, as "Memorial Day" in El Paso County, Texas.

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

# **MOTION: APPROVE**

Motion by Commissioner Robinson Members Voting Aye: Judge Samaniego, Leon, Stout, Holguin, Robinson Seconded by County Judge Samaniego Members Voting Nay: None

C. Approve and adopt a resolution declaring "National Foster Care 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 Holguin Members Voting Aye: Judge Samaniego, Leon, Stout, Holguin, Robinson Members Voting Nay: None

#### 6. PUBLIC COMMENT

#### NO ACTION

#### 7. PRESENTATION

A. Discuss and take appropriate action regarding the 87th Texas Legislative Session, to include presenting information for the Court's consideration, removing or including bills on the County's state legislative agenda and supporting or opposing filed legislation, and take any action necessary on aforementioned items. Daniel Collins, Governmental Affairs Manager, County Administration Department (915) 546-2215

#### **NO ACTION**

# **BOARD APPOINTMENTS**

8. Approve the appointment of County Commissioner Iliana Holguin's nominee, Marcella Van Hoove, to the El Paso County Risk Pool Board to a two-year term ending May 17, 2023.

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

# **MOTION: APPROVE**

Motion by Commissioner Robinson Members Voting Aye: Judge Samaniego, Leon, Stout, Holguin, Robinson Seconded by County Judge Samaniego Members Voting Nay: None

#### **COUNTY ADMINISTRATION**

9. Receive a report and discuss and take appropriate action regarding the CARES Act Grant and the Coronavirus Response and Relief, Supplemental Appropriations Act 2021, and the American Rescue Plan Act of 2021.

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

# **NO ACTION**

10. Discuss and take appropriate action regarding El Paso County's preparation and response for COVID-19.

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

MOTION: APPROVE AND AUTHORIZE RESUMPTION OF OUTDOOR SPECIAL EVENTS AT COUNTY VENUES BEGINNING JUNE 1, 2021, IF THE DATA CONTINUES TO SHOW IMPROVED COVID-19 CONDITIONS, AND CONTINUES TO BE REVIEWED BY THE COUNTY ATTORNEY'S OFFICE AND THE CITY-COUNTY HEALTH AUTHORITY DR. OCARANZA, PRIOR TO THE PRACTICES RESUMING.

Motion by County Judge Samaniego Members Voting Aye: Judge Samaniego, Leon, Stout, Holguin, Robinson Seconded by Commissioner Holguin Members Voting Nay: None

MOTION: APPROVE THE REINSTITUTION OF THE EXISTING TRAVEL POLICY, TO ALLOW THE AUDITOR'S OFFICE TO RESUME ITS PRE-REVIEW AND APPROVAL OF ALL TRAVEL REQUESTS WITH CERTAIN OUTLINE POLICY EXCEPTIONS REQUIRING REVIEW AND APPROVAL BY THE COUNTY ADMINISTRATOR.

Motion by County Judge Samaniego Members Voting Aye: Judge Samaniego, Leon, Stout, Holguin, Robinson Seconded by Commissioner Leon Members Voting Nay: None

# **PURCHASING**

11. Approve and authorize the County Judge to sign the Interlocal Purchasing Agreement between the County of El Paso and Ysleta Independent School District for the use of interlocal purchasing programs through Ysleta Independent School District (YISD). (Contract No. 2021-0194) 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, Holguin, Robinson Seconded by County Judge Samaniego Members Voting Nay: None

12. Approve the purchase of Drug Testing Services for the County of El Paso using Ysleta Independent School District Inter-Local Agreement Contract No. 217050CSP, awarded to Confidential Drug Testing of El Paso, TX. Purchasing approved on May 12, 2021. Funding is available in various department accounts. Debra Carrejo-Trull, CPPO, CPPB, Purchasing Agent, Purchasing Department (915) 546-2048

# **MOTION: APPROVE**

Motion by County Judge Samaniego Members Voting Aye: Judge Samaniego, Leon, Stout, Holguin, Robinson Seconded by Commissioner Leon Members Voting Nay: None

13. Approve the Purchase of Six (6) Chevrolet Tahoes and Three (3) 2500 Crew Trucks for the County of El Paso using Goodbuy Cooperative Contract 21-8F000 awarded to Lake County Chevrolet of Jasper, Texas in the amount of \$347,570.25. Purchasing approved on May 17, 2021. Funding is available in SG-COVID19-CAP OUTLAYS.

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, Holguin, Robinson Seconded by County Judge Samaniego Members Voting Nay: None

14. Approve the purchase of Two (2) Patrol Utility Ford Explorer Vehicles for the County of El Paso using Goodbuy Cooperative Contract 21-8F000 awarded to Silsbee Ford Inc. of Silsbee, Texas in the amount of \$72,646.50. Purchasing approved on May 18, 2021. Funding is available in SG-STGARSO19-CAP OUTLAYS

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, Holguin, Robinson Seconded by County Judge Samaniego Members Voting Nay: None

#### **AUDITOR**

15. 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 April 30, 2021. The interim financial report is located on the intranet at:

http://www.epcounty.com/auditor/publications/monthlyreports.htm Edward A. Dion, County Auditor, County Auditor's Office (915) 546-2040

#### **MOTION: ACCEPT**

Motion by Commissioner Robinson Members Voting Aye: Judge Samaniego, Leon, Stout, Holguin, Robinson Seconded by County Judge Samaniego Members Voting Nay: None

**MEETING RECESSED AT 12:12 P.M.** 

**MEETING RECONVENED AT 1:12 P.M.** 

#### **JUDICIARY AND CORRECTIONS**

16. Approve and authorize the County Judge to sign the Surveillance Security System Agreement with PyroCom Systems, Inc. for Fire and Security installation, maintenance, monitoring, and inspections, including equipment, materials, and labor for the project, on behalf of the El Paso County Juvenile Probation Department in the amount of \$161,430.97. Funding is available in CIP21-JPD-RENOVATIONS. (Contract No. 2021-0327) Roger Martinez, Chief Juvenile Probation Officer, Juvenile Probation Department (915) 849-2500

# **MOTION: APPROVE**

Motion by Commissioner Leon Members Voting Aye: Judge Samaniego, Leon, Stout, Holguin, Robinson Seconded by County Judge Samaniego Members Voting Nay: None

#### **ECONOMIC DEVELOPMENT**

17. Approve and authorize the County Judge to sign the First Amendment to the El Paso Small Business Emergency Relief Program Chapter 381 Economic Development Program Agreement Business Development Series with LiftFund, Inc., to clarify the separate funding streams for the loan and grant portions of this program. Funds are available in SG-COVID19-OPERATING EXP and GF-ECONIMPACT-INITIATIVE. (Contract No. 2021-0295)

Michael Hernandez, Director, Economic Development Department (915) 546-2177

#### **MOTION: APPROVE**

Motion by Commissioner Stout Members Voting Aye: Judge Samaniego, Leon, Stout, Holguin, Robinson Seconded by Commissioner Holguin Members Voting Nay: None

18. Approve and authorize the County Judge to sign the Second Amendment to Broadband Market Analysis and Demand Study, and Subrecipient Agreement between the County of El Paso, Texas and the El Paso Community Foundation. Funding in the amount of \$265,964 is available in SG-COVID19-OPERATING EXP. Further, discuss potential broadband improvement projects. (Contract No. 2021-0013) Michael Hernandez, Director, Economic Development Department (915) 546-2177

# **MOTION: APPROVE**

Motion by Commissioner Holguin Members Voting Aye: Judge Samaniego, Leon, Stout, Holguin, Robinson Seconded by County Judge Samaniego Members Voting Nay: None

#### **HEALTH AND SOCIAL SERVICES**

19. Approve and authorize a revision to the Emergency Rental Assistance (ERA) disbursement plan approved on February 8, 2021, allocating the \$929,338 left in the ERA reserve funds to the rental and utility assistance category to provide the Community Services Department flexibility to increase assistance as need arises in the community. Funds are available in SG-FEDERA21-OPERATING EX. Irene G. Valenzuela, Executive Director, Community Services Department (915) 775-2708

#### **MOTION: APPROVE**

Motion by County Judge Samaniego Members Voting Aye: Judge Samaniego, Leon, Stout, Holguin, Robinson Seconded by Commissioner Stout Members Voting Nay: None

20. Approve and authorize the County Judge to sign the Service Agreement between the County of El Paso and the Lower Valley Water District (LVWD) for the Emergency Utility Assistance Program for customers with emergency water utility assistance needs through the US Treasury Emergency Rental Assistance Program (ERA) funds for a term beginning on the effective date through September 30, 2022 when the ERA funds are due to expire. (Contract No. 2021-0271)

Irene G. Valenzuela, Executive Director, Community Services Department (915) 775-2708

# **MOTION: APPROVE**

Motion by Commissioner Holguin Members Voting Aye: Judge Samaniego, Leon, Stout, Holguin, Robinson Seconded by County Judge Samaniego Members Voting Nay: None

21. Approve and authorize the County Judge to sign the Services Agreement between the County of El Paso and the Medical Center of the Americas Foundation for Emergency Utility Assistance Program to provide utility assistance to County residents living outside the city limits of El Paso, who are experiencing financial hardship due to COVID-19, from the U.S. Treasury Emergency Rental Assistance Program (ERA) from April 1, 2021, through December 31, 2021 in the amount of \$300,000. Funding is available in SG-FEDERA21-OPERATING EXPENSE. (Contract No. 2021-0328)

Irene G. Valenzuela, Executive Director, Community Services Department (915) 775-2708

# **MOTION: APPROVE**

Motion by County Judge Samaniego Members Voting Aye: Judge Samaniego, Leon, Stout, Holguin, Robinson Seconded by Commissioner Holguin Members Voting Nay: None

22. Receive a presentation, and approve and authorize the County Judge to sign the Interlocal Grant Agreement between the County of El Paso and the City of El Paso for the Distribution of Federal Coronavirus Relief Funds to provide temporary shelter services to persons experiencing homelessness during the COVID-19 health crisis in the amount of \$850,000 from CARES Act funds for a term not to exceed six months from the date of execution of agreement. Funds are available in SG-COVID19-OPERATING EXP. (Contract No. 2021-0370)

Irene G. Valenzuela, Executive Director, Community Services Department (915) 775-2708

# **MOTION: APPROVE**

Motion by Commissioner Robinson Members Voting Aye: Judge Samaniego, Leon, Stout, Holguin, Robinson Seconded by County Judge Samaniego Members Voting Nay: None

#### INFORMATION TECHNOLOGY

23. Approve and authorize the County Judge to sign an agreement between the County of El Paso and SHI Government Solutions/Microsoft Corporation. Funding in the amount of \$493,370.10 is available in GF-ITD-MAINT/REP-SOFTWARE and new position operating. (Contract No. 2021-0280) Christopher Stathis, Chief Information Officer, Information Technology Department (915) 546-2041

# **MOTION: APPROVE**

Motion by County Judge Samaniego Members Voting Aye: Judge Samaniego, Leon, Stout, Holguin, Robinson Seconded by Commissioner Leon Members Voting Nay: None

#### **PUBLIC WORKS**

24. Approve and authorize the County Judge to sign the Addendum to the Omnia Master Maintenance Agreement with TK Elevator Corporation, f/k/a ThyssenKrupp Elevator Corporation, for elevator maintenance services and repairs at various County facilities for a five-year term beginning on the date of the second party's signature, and will automatically renew for up to three one-year options. Funding in the amount of \$195,360 is available in various accounts. (Contract No. 2021-0281)

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

# **MOTION: APPROVE**

Motion by Commissioner Leon Members Voting Aye: Judge Samaniego, Leon, Stout, Holguin, Robinson Seconded by County Judge Samaniego Members Voting Nay: None

25. Approve and authorize the County Judge to sign the Supplemental Contract with GAP Air Conditioning and Heating, Inc. for the replacement of ten (10) roof top units at the Jail Annex in the amount of \$135,163.87. Funds are available in CIP19-PWSOJAILMAINT-RENOV-REP and CIP21-FAC JAIL ANNX-RENOVATION. (Contract No. 2021-0383)

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

# **MOTION: APPROVE**

Motion by County Judge Samaniego Members Voting Aye: Judge Samaniego, Leon, Stout, Holguin, Robinson Seconded by Commissioner Robinson 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.

26. Approve and authorize the Community Services Department, in collaboration with the University of Texas at El Paso and the Paso del Norte Health Foundation, to apply for a grant from the Centers for Disease Control Community Health Workers for COVID Response and Resilient Communities program in an amount up to \$5 million beginning August 1, 2021, through July 31, 2022. No County match is required. (Contract No. 2021-0384)

Irene G. Valenzuela, Executive Director, Community Services Department (915) 775-2708

#### **MOTION: APPROVE**

Motion by Commissioner Robinson Members Voting Aye: Judge Samaniego, Leon, Stout, Holguin, Robinson Seconded by County Judge Samaniego Members Voting Nay: None

#### 27. INTO EXECUTIVE SESSION AT 2:26 P.M.

- A. Discuss findings regarding persons necessary in Executive Session. County Attorney's Office (915) 546-2050
- B. Pursuant to Texas Government Code Section 551.071, receive legal advice and consultation regarding Governor Abbott's Executive Order GA-36.

Christina R. Sanchez, Assistant County Attorney, County Attorney's Office (915) 546-2040

C. Discuss El Paso County's potential litigation concerning voting restrictions legislation, County Attorney's File No. 0101-21-AA, pursuant to Texas Government Code Section 551.071. Jed Untereker, Assistant County Attorney, County Attorney's Office (915) 546-2050

#### **REGULAR SESSION RECONVENED AT 3:29 P.M.**

28. Discuss and take appropriate action regarding potential litigation regarding voting restrictions legislation, County Attorney's File No. 0101-21-AA.

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

# **NO ACTION**

**MEETING ADJOURNED AT 3:36 P.M.** 

# EL PASO COUNTY COMMISSIONERS COURT

CARLOS LEON Commissioner, Pct. 1

ILIANA HOLGUIN Commissioner, Pct. 3

ATTEST:



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, MAY 24, 2021

**MEETING ADJOURNED AT 3:36 P.M.** 

DELIA BRIONES, COUNTY CLERK EL PASO COUNTY, TEXAS	
CESAR O. NAVA, DEPUTY CLERK	
EXAMINED AND APPROVED BY ME THIS DAY OF	, 2021.
COUNTY JUDGE RICARDO A. SAMANIEGO,	PRESIDING