

**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, JUNE 28, 2021**

HON. RICARDO A. SAMANIEGO	COUNTY JUDGE, PRESIDING	VIDEOCONFERENCE
CARLOS LEON	COMMISSIONER, PCT #1	VIDEOCONFERENCE
DAVID S. STOUT	COMMISSIONER, PCT #2	VIDEOCONFERENCE
ILIANA HOLGUIN	COMMISSIONER, PCT #3	VIDEOCONFERENCE
CARL L. ROBINSON	COMMISSIONER, PCT #4	VIDEOCONFERENCE

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

1. MEETING CONVENED

Commissioners Court of El Paso County, Texas was called to order by the Deputy Clerk at 9:31 A.M.

2. PLEDGE OF ALLEGIANCE

Derrek Rodriguez, 5th Grader at Eastwood Heights Elementary, led the Commissioners Court in the Pledge of Allegiance and Texas Pledge.

3. INVOCATION

A. Receive an invocation from Laura Gorby, member of Join Us for Justice, the El Paso Chapter of Americans United for the Separation of Church and State.

4. CONSENT AGENDA

- A. Approval of the Minutes of the regular meeting of June 14, 2021 and the special meeting of June 17, 2021.
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 amendment No. 35 to the County of El Paso's 2020-2021 operating budget. This budgetary amendment will increase Grants by \$41,999.80, thus increasing the overall budget of \$583,773,220.87 to \$583,815,220.67.
Wallace Hardgrove, Executive Director, Budget and Fiscal Policy Department (915) 546-2262
- D. Approve and authorize the County Judge to sign the Memorandum of Understanding between the County of El Paso, Medical Center of the Americas Foundation and the El Paso Electric Company for Emergency Utility Assistance Program, which establishes a formal collaborative effort to provide electric utility assistance. (Contract No. 2021-0248)
Irene G. Valenzuela, Executive Director, Community Services Department (915) 775-2708
- E. Approve and authorize the Stop Loss Renewal Rate Application with Aetna Life Insurance Company for Stop Loss Insurance coverage for the County's Health and Dental Plan for plan year 2021. Funding is available in IS-HEALTH-SPECF/AG STP LSS INS. (Contract No. 2021-0432)
Melissa M. Carrillo, PHR, Chief Human Resources Officer, Human Resources Department (915) 546-2218
- F. Approve the restatement of the County of El Paso's Health Care Flexible Spending Account, Health Savings Account, Dependent Care Flexible Spending Account, and Premium Only Plan Summary Plan Description effective January 1, 2021. (125 Cafeteria Plan) The Summary Plan Description was approved by the Risk Pool Board during their meeting on June 16, 2021. Funding is available in IS-HEALTH-HEALTH/DENTAL CLAIMS. (Contract No. 2021-0435)
Melissa M. Carrillo, PHR, Chief Human Resources Officer, Human Resources Department (915) 546-2218
- G. Approve and authorize the County Judge to sign the agreement between the County of El Paso and GovernmentJobs.com, Inc. (dba NEOGOV) for the Workforce Management Solutions. Funding is available in GF-ITD-MAINT/REP-SOFTWARE in the amount of \$99,779.71. Pursuant to Texas Local Government Code Section 262.024 (a)(7)(A), as a sole source item, it is exempt from the provisions of the County Purchasing Act. Sole Source will be re-evaluated at time of new contract to ensure compliance with statute. (Contract No. 2021-0465)
Christopher Stathis, Chief Information Officer, Information Technology Department (915) 546-2041
- H. Approve and authorize the County Judge to sign the software purchase agreement with DLT Solutions, Inc. for engineering computer design software in the amount of \$3,010.48. Funding is available in in GF-PWADMIN-MAINT/REP-SOFTWARE and SG-RURALS21-OPERATING EX. (Contract No. 2021-0368)
Jose M. Landeros, Director, Planning & Development Department (915) 546-2015
- I. Pursuant to Texas Local Government Code §232.023, conditionally approve and authorize the acceptance, filing and recording of The Village at Mission Ridge Unit One Subdivision plat pending satisfaction of the requirements as identified in the background section of the agenda item.
Jose M. Landeros, Director, Planning & Development Department (915) 546-2015
- J. 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
- K. Approve and authorize the County Judge to sign the formal letter of commitment to Jordan Foster Construction, LLC for the award of Metal Canopies for the County of El Paso Sportspark using Region 19 Job Order Contract (JOC) 17-7261. (OP-21-0872)
Norma R. Palacios, Executive Director, Public Works Department (915) 546-2015

L. Approve the Master List of previously approved Cooperative Contracts to be used by the Purchasing Department for the cooperative purchasing programs. It is further recommended that new cooperative contracts approved thereafter are added to the Master List.

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

M. 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

N. Rescind the Court Order of June 7, 2021, Item #4S on the Consent Agenda to Approve and authorize the County Judge to sign the TransUnion Risk and Alternative Data Solutions, Inc. Subscriber Agreement and Application and associated documents for investigative software for the Sheriff's Office for a one-year term beginning May 1, 2021, in the amount of \$11,040. Funds are available in GF-SOCID MAINT/REP-SOFTWARE. (Contract No. 2021-0386) Further, approve and authorize the County Judge to sign the corrected TransUnion Risk and Alternative Data Solutions, Inc. Subscriber Agreement and Application and associated documents for investigative software for the Sheriff's Office for a one-year term beginning July 1, 2021, in the amount of \$11,040. Funds are available in GF-SOCID MAINT/REP-SOFTWARE. (Contract No. 2021-0386)

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

MOTION: APPROVE

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

5. RESOLUTIONS

A. Approve and adopt a resolution declaring the week of June 27 - July 3, 2021 as, "El Paso Athletic Hall and El Paso Sports Commission Class of 2020 Hall of Fame Week" 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 Commissioner Stout Members Voting Nay: None

B. Approve and adopt a resolution recognizing July 4, 2021 as "Independence Day."

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 Commissioner Holguin Members Voting Nay: None

C. Approve and adopt a resolution recognizing June 28, 2021, as "William Beaumont Army Medical Center Anniversary Day" in El Paso County, Texas.

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

MOTION: APPROVE

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

D. Approve and adopt a resolution declaring and recognizing June 29, 2021 as "Pedro Arredondo Jr. 90th Birthday" in El Paso County, Texas.

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

MOTION: APPROVE

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

E. Approve and adopt a resolution declaring the month of July as "National Parks and Recreation 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 Stout

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

6. PUBLIC COMMENT

NO ACTION

7. PRESENTATION

A. Receive a presentation regarding the El Paso County EPIC Shining Stars award naming the four Shining Stars for the fourth quarter of FY21.

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

PRESENTATION RECEIVED

B. ARP PROPOSED FUNDING PROJECT: Receive a presentation regarding the County's ongoing partnership to fulfill the recommendations from the El Paso United COVID-19 Transition Task Force regarding communications. Further, authorize staff to move forward with engaging the Paso del Norte Community Foundation in partnership with the Paso del Norte Health Foundation to continue to fulfill the County's role in communication strategies under the Task Force recommendations, and to utilize ARP funds for the project.

Joel Bishop, Executive Director, Criminal Justice and Community Support (915) 546-2215

MOTION: DELETE

Motion by County Judge Samaniego
Seconded by Commissioner Holguin

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

COUNTY ADMINISTRATION

8. 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

9. 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

NO ACTION

10. Approve and authorize the County Judge to sign the Notice of Grant Award for the FY2021-22 Texas Veterans Commission General Assistance Grant in the amount of \$300,000 for the term beginning July 1, 2021, through June 30, 2022. The grant is to provide rental and utility assistance to veterans, veterans' dependents, and veterans' surviving spouses in our community. No County match is required. (Contract No. 2021-0460)

Carl Dwyer, Veterans Assistance Program Manager, County Administration Department (915) 759-7990

MOTION: APPROVE

Motion by Commissioner Robinson
Seconded by County Judge Samaniego

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

PURCHASING

11. Approve the Electronic Bidding process to allow the vendor community a secondary form of submitting a response for Sealed Bids, RFP, RFQ, RFI, and informal quotes. The process is to be governed in accordance with Texas Local Government Code §262.011. It is further recommended that policies and procedures are developed by the Purchasing Department to govern the receipt of electronic bids in accordance with Texas Local Government Codes. (OP 21-0888)

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

MOTION: APPROVE

Motion by Commissioner Holguin

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

Seconded by Commissioner Robinson

Members Voting Nay: None

LITIGATION, JUSTICE, AND LAW ENFORCEMENT

12. ARP PROPOSED FUNDING PROJECT: Discuss and take appropriate action to increase personnel for the newly created Crisis Intervention Team (CIT). The expansion would include the addition of personnel for the Sheriff's Office and Emergence Health Network (EHN).

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

MOTION: APPROVE \$1.75 MILLION FROM THE FIRST ALLOCATION OF ARP FUNDS AND \$1.75 MILLION FROM THE SECOND ALLOCATION TO COVER THE 3 YEAR PERIOD. FURTHER INSTRUCT THE BUDGET AND FISCAL POLICY DEPARTMENT TO PLAN FOR THE COST IMPACT IN THE FY 24 BUDGET.

Motion by Commissioner Stout

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

Seconded by Commissioner Robinson

Members Voting Nay: None

MEETING RECESSED AT 12:02 P.M.

MEETING RECONVENED AT 1:03 P.M.

HEALTH AND SOCIAL SERVICES

13. Approve and authorize the County Judge to sign the Subrecipient Grant Agreement between the County of El Paso and FII-National, dba UpTogether for Emergency Relief Assistance (Covid-19 Cares Funding) to County residents living outside the City limits of El Paso who are experiencing financial hardship due to COVID-19, in the amount of \$300,000 from June 28, 2021, through December 31, 2021. Funds are available in SG-COVID19-OPERATING EXP. (Contract No. 2021-0382)

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 Commissioner Holguin

Members Voting Nay: None

HUMAN RESOURCES

14. **CORRECTION PER HUMAN RESOURCES DEPARTMENT** - Receive a presentation and take appropriate action regarding membership fees and accompanying payroll deduction and eligibility for the County of El Paso's Employee Fitness and Wellness Center. Funds will be deposited into **IS-HEALTH-WELLNESS CENTER FEE**.

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

MOTION: APPROVE THE \$5 MEMBERSHIP FEE AND PAYROLL DEDUCTION FOR EMPLOYEES UTILIZING THE COUNTY OF EL PASO'S EMPLOYEE FITNESS AND WELLNESS CENTER.

Motion by Commissioner Stout

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

Seconded by County Judge Samaniego

Members Voting Nay: None

15. Approve and authorize the County Judge to sign the El Paso County Janitorial Service Agreement with Western Janitorial Services, Inc., for a one-year term effective on the date of signature with two additional one-year options to renew. Funding is available in GF-HR-CONTR SVC-GEN. (Contract No. 2021-0391)

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

NO ACTION

PUBLIC WORKS

16. Approve and authorize the waiver of entrance fees to Ascarate Park for the Month of Unity and Healing events to be held from July 1, through August 3, 2021, for two hours before and during each event.
Veronica Myers, Director, Parks and Recreation Department (915) 771-2370

MOTION: APPROVE

Motion by Commissioner Leon
Seconded by Commissioner Holguin

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

17. Approve and authorize the County Judge to sign the Interlocal Agreement Project Development Agreement for the Tom Mays Drive Extension Shared-Use Path Project for engineering design and construction services with the Camino Real Regional Mobility Authority (CRRMA). Funding in the amount of \$3,000,000 is available in GF-EPCMP-PROF SVC-GEN. (Contract No. 2021-0331)
Jose M. Landeros, Director, Planning & Development Department (915) 546-2015

MOTION: APPROVE

Motion by Commissioner Robinson
Seconded by Commissioner Holguin

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

18. Approve and authorize the County Judge to sign the United States Department of Commerce-Economic Development Administration grant award agreement for the design and construction of hangar space at the Fabens Airport (Investment No. 08-79-05443) in the amount of \$5,000,000. Match funding in the amount of \$1,097,561 is available in CP-FABAIROPRT-CAPOUT-RENOV and GF-ECONOMIC-INITIATIVE. (Contract No. 2021-0444)

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

MOTION: APPROVE

Motion by Commissioner Holguin
Seconded by Commissioner Leon

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

19. Approve and authorize the County Judge to sign the non-binding letter of intent to apply to the Texas Water Development Board Flood Infrastructure Fund for County Stormwater Project SSA1 (Abridged Application No. 13787). (Contract No. 2021-0461)

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

MOTION: APPROVE

Motion by Commissioner Robinson
Seconded by Commissioner Holguin

Members Voting Aye: Judge Samaniego, Leon, Stout, Holguin, 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.

20. Approve and authorize El Paso County to become the lead recipient and fiscal agent for the El Paso County Community Supervision and Corrections Department (CSCD) FY21 Victim Restoration Initiative grant (#3097105) that was awarded by the Office of the Governor on October 16, 2020, in the amount of \$152,382, with a cash match provided by CSCD, in the amount of \$38,096. This grant began on October 1, 2020, and will end on September 30, 2021. Further authorize the County Judge to sign the Resolution and FY21 CSCD Subrecipient Agreement. (Contract No. 2021-0133)

Magdalena Morales-Aina, Director, Community Supervision and Corrections Department (915) 546-8120

MOTION: APPROVE

Motion by Commissioner Holguin
Seconded by County Judge Samaniego

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

21. Approve and authorize the Planning & Development Department to apply for the Texas Department of Transportation (TxDOT) FY2022 State Rural Public Transportation Grant in the amount of \$466,139 from September 1, 2021, through August 31, 2022. No County match is required. Further, authorize the County Judge to sign the Obligation Certification as required by the grant. (Contract No. 2021-0457)
Jose M. Landeros, Director, Planning & Development Department (915) 546-2015

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. Approve and authorize the El Paso County Sheriff's Office to apply for the U.S. Department of Justice Office of Community Oriented Policing Services, Community Policing Development Crisis Intervention Teams Solicitation in the amount of \$250,000 from October 1, 2021, to September 30, 2023. No County match is required. (Contract No. 2021-0472)
Sheriff Richard D. Wiles, El Paso County Sheriff's Office (915) 538-2234

MOTION: APPROVE

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

ADDENDUM TO THE AGENDA

25. Approve and authorize the County Judge to sign the County Depository Contract with Vantage Bank Texas. RFP# 21-015 Depository Bank and Safekeeping Services for the County of El Paso was awarded to Vantage Bank Texas on Monday, May 17, 2021. (Contract No. 2021-0436)
Edward A. Dion, County Auditor, County Auditor's Office (915) 546-2040
Posted Friday, June 25, 2021 at 10:00 A.M.

MOTION: APPROVE

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

26. Approve and authorize the County Judge to sign the Motorola agreement with the County of El Paso for the purchase of an All Band Console in the amount of \$15,000. Funding available in STGARS019-CAP OUTLAYS. (Contract No. 2021-0450)
Sheriff Richard D. Wiles, El Paso County Sheriff's Office (915) 538-2234
Posted Friday, June 25, 2021 at 1:30 P.M.

MOTION: APPROVE

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

23. INTO EXECUTIVE SESSION AT 2:16 P.M.

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

B. Discuss pending litigation filed Texas State LULAC; Voto Latino v. Bruce Elfant, et al., County Attorney's File Number 0128-21-LD, pursuant to Texas Government Code Section 551.071.
Christina R. Sanchez, Assistant County Attorney, County Attorney's Office (915) 546-2050

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

D. Discuss financial information and economic development negotiations received regarding a Chapter 381 Agreement with Mission View, a private business prospect, pursuant to Texas Government Code section 551.087.
Michael Hernandez, Director, Economic Development Department (915) 546-2177

REGULAR SESSION RECONVENED AT 3:06 P.M.

24. Discuss and take appropriate action regarding litigation filed Texas State LULAC; Voto Latino v. Bruce Elfant, et al., County Attorney's File Number 0128-21-LD.

Christina R. Sanchez, Assistant County Attorney, County Attorney's Office (915) 546-2050

MOTION: APPROVE AND AUTHORIZE EL PASO COUNTY TO ENTER INTO AN ENGAGEMENT AGREEMENT WITH STATES UNITED DEMOCRACY, THE LAW FIRM WILMER CUTLER PICKERING HALE & DORR, LLP, AND THE LAW FIRM SUSMAN GODFREY, LLP FOR THE PROVISION OF LEGAL SERVICES RELATED TO SB 1111 AND THE LITIGATION FILED TEXAS STATE LULAC; VOTO LATINO V. BRUCE ELFANT, ET AL., WHICH ALSO INCLUDES THE EL PASO COUNTY ELECTIONS ADMINISTRATOR LISA WISE.

Motion by Commissioner Holguin

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

Seconded by County Judge Samaniego

Members Voting Nay: None

MEETING ADJOURNED AT 3:10 P.M.

**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

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500 East San Antonio Room 303 El Paso, Texas 79901
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**COMMISSIONERS COURT REGULAR MEETING MINUTES
MONDAY, JUNE 28, 2021**

MEETING ADJOURNED AT 3:10 P.M.

ATTEST:

DELIA BRIONES, COUNTY CLERK
EL PASO COUNTY, TEXAS

JESSICA DOMINGUEZ, DEPUTY CLERK

EXAMINED AND APPROVED BY ME THIS

_____ DAY OF _____, 2021.

COUNTY JUDGE RICARDO A. SAMANIEGO, PRESIDING