

**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, JULY 19, 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	TELECONFERENCE

**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 9:32 A.M.

2. PLEDGE OF ALLEGIANCE

Liam de Smet, 6th grader at New World Montessori School, led the Commissioners Court in the Pledge of Allegiance and Texas Pledge.

3. INVOCATION

A. Receive an invocation from Pastor Michael Grady.

4. CONSENT AGENDA

- A. Approval of the Minutes of the regular meeting of June 28, 2021 and July 12, 2021.
County Administration Department (915) 546-2215
- B. Approve and authorize the changes to the El Paso County Redistrict Advisory Commission Policy addressing the deadlines and composition of the Commission.
Betsy C. Keller, CM, Chief Administrator, County Administration Department (915) 546-2215
- C. Accept the quarterly report from the County Administration Department.
Betsy Keller, CM, Chief Administrator, County Administration Department (915) 546-2215
- 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 amendment No. 37 to the County of El Paso's 2020-2021 operating budget. This budgetary amendment will decrease Special Revenue by \$86,420.00, increase Grants by \$278,320.00, thus increasing the overall budget of \$592,693,424.67 to \$592,885,324.67.
Wallace Hardgrove, Executive Director, Budget and Fiscal Policy Department (915) 546-2262
- F. Approve and authorize the appointment of Maria A. Berumen and Elizabeth Lopez as members to the El Paso County Colonia Self Help Center-Colonia Resident Advisory Committee (C-RAC).
Irene G. Valenzuela, Executive Director, Community Services Department (915) 775-2708
- G. Approve and authorize the County Judge to sign the Termination Letter informing Compliance Forge that the County will not be renewing the Written Information Security Program (WISP) / NIST Cybersecurity Framework Software subscription. (OP-21-0873)
Christopher Stathis, Chief Information Officer, Information Technology Department (915) 546-2041
- H. Approve and authorize the County Judge to sign the agreement between the El Paso County and SHI Government Solutions for KnowBe4 Security Awareness Training Software. Funding is available in GF-ITD-MAINT/REP-SOFTWARE in the amount of \$22,800. (Contract No. 2021-0463)
Christopher Stathis, Chief Information Officer, Information Technology Department (915) 546-2041
- I. Approve and authorize the County Judge to sign the agreement between El Paso County and Intergraph Corporation dba Hexagon Safety & Infrastructure to implement the OnCall Records application proxy. Funding in the amount of \$5,076 is available in GF-ITD-MAINT/REP-SOFTWARE. (Contract No. 2021-0464)
Christopher Stathis, Chief Information Officer, Information Technology Department (915) 546-2041
- J. Approve and authorize the County Judge to sign the agreement between El Paso County and Innovative PBX Services, Inc., dba New IPS to perform the cabling services for the Wellness Center project at the County Courthouse. Funding is available in CP-CPCRTHSIMP12-RENOVATIONS for the amount of \$15,723.72. (Contract No. 2021-0501)
Christopher Stathis, Chief Information Officer, Information Technology Department (915) 546-2041
- K. Rescind the Commissioners Court Order of December 14, 2020, Item No. 4X on Consent Agenda, to approve and authorize the County Judge to sign the Enterprise Updated Statement Agreement between the County of El Paso and SHI Government Solutions. Funding is available in GF-ITD-MAINT/REP-SOFTWARE in the amount of \$26,993.66. (Contract No. 2020-1102) Further, approve and authorize the County Judge to sign the corrected Enterprise Updated Statement Agreement invoice with SHI Government Solutions in the amount of \$32,444.80. Funding is available in GF-ITD-MAINT/REP-SOFTWARE. (Contract No. 2021-0514)
Christopher Stathis, Chief Information Officer, Information Technology Department (915) 546-2041
- L. Approve and authorize the County Judge to sign the Third and Final Option to Renew Agreement with Randall County for the Youth Center of High Plains Contract for Residential Services (Secure Facility), for children placed on behalf of the El Paso County Juvenile Probation Department. This will extend the term of services from October 1, 2021, through September 30, 2022, in an estimated amount of \$150 per day. Funding is available in SG-TJJDST21-OPERATING EXP. (Contract No. 2020-0431)
Roger Martinez, Chief Juvenile Probation Officer, Juvenile Probation Department (915) 849-2500

M. Pursuant to the County's Overtime Compensation Policy, Section I.E, approve and authorize a one-time overtime payment, in the gross amount of \$4,851.93, to engineering staff in the Planning & Development Department for work associated with the expedited plan review of the Project William Subdivision as outlined in the attached backup. Further, authorize the transfer of funds from GF-GADM-RES-SAL ADJUST to cover costs if necessary. The County will be reimbursed by Project William Developer, Hillwood, for the incurred overtime costs.

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

N. Approve and authorize the County Judge to sign the License Agreement Granted by the County of El Paso Texas for Use of Real Property with Jason T. Ruby for a private irrigation line crossing the Bailey Road right-of-way. (Contract No. 2021-0086)

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

O. Approve and authorize the County Judge to sign Work Order No. 002, On-Call Civil Engineering Contract with AECOM Technical Services, Inc. for application development assistance of Project SSA1 to the Texas Water Development Board Flood Infrastructure Fund Program in the amount of \$19,132.52. Contract cost will be covered by grant funds if awarded, otherwise, funding is available in GF-RBFLOODCNT-STRMWTR IMPROV. (Contract No. 2021-0519)

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

P. Approve and authorize the County Judge to sign Work Order No. 001, On-Call Civil Engineering Contract with Dannenbaum Engineering Company-El Paso, LLC to conduct a third-party review of the proposed flood risk maps developed by the Federal Emergency Management Agency, described as "Project Priority 2" in the backup, upon review and approval by the County Attorney's Office. Funding in the amount of \$75,792 is available in GF-RBFLOODCNT-STRMWTR IMPROV. (Contract No. 2021-0520)

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

Q. Pursuant to Texas Local Government Code §232.023, conditionally approve and authorize the acceptance, filing and recording of Emerald Heights Unit Five Subdivision, a non-residential plat, pending satisfaction of the requirements identified in the staff report in the background section of the item.

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

R. Pursuant to Texas Local Government Code §232.023, conditionally approve and authorize the acceptance, filing and recording of the Peyton Estates Unit 3 Subdivision plat pending satisfaction of the requirements identified in the background section of this item.

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

S. 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

T. **PULLED FOR DISCUSSION BY COMMISSIONER STOUT** - Approve and authorize the County Judge to sign the Right of Way License Agreement with City of El Paso for the construction of the Delta Bridge Replacement. (Contract No. 2021-0459)

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

U. Approve after-the-fact purchase of Personal Protection Equipment for the Public Works Transit Buses, awarded to Creative Bus Sales Inc. of Chino, CA, in the amount of \$64,446.70. Funds are available in SG-FCARE21-OPERATING E.

Joe Lopez, Jr., Interim Purchasing Agent, Purchasing Department (915) 546-2048

V. Approve and authorize the Purchasing Agent to reject all responses and close Bid 21-024, Purchase and Installation of a New Canopy at the County of El Paso Fabens Warehouse (re-bid).

Jose Lopez, Jr., Interim Purchasing Agent, Purchasing Department (915) 546-2048

W. 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.

Joe Lopez, Jr., Interim 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, Holguin, Robinson
Members Voting Nay: None

5. RESOLUTIONS

A. Approve and adopt a resolution designating the week of July 18 through 24, 2021, as "Pretrial, Probation and Parole Supervision Week" in El Paso County, Texas.

Carlos Leon, Commissioner, Pct. 1 (915) 546-2014

MOTION: APPROVE

Motion by Commissioner Leon

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

Seconded by County Judge Samaniego

Members Voting Nay: None

B. Approve and adopt a resolution honoring the memories of Mr. Arturo "Tury" Benavidez and Mr. Gerhard Hoffman through the "Healing Through Honor Memorial Ceremony".

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 Leon

Members Voting Nay: None

6. PUBLIC COMMENT

NO ACTION

7. PRESENTATION

A. Accept the Quarterly report from the Alliance for Regional Military Support (ARMS).

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

ITEMS PULLED FOR DISCUSSION FROM THE CONSENT AGENDA

4T. **PULLED FOR DISCUSSION BY COMMISSIONER STOUT** - Approve and authorize the County Judge to sign the Right of Way License Agreement with City of El Paso for the construction of the Delta Bridge Replacement. (Contract No. 2021-0459)

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 Holguin

Members Voting Nay: None

7. PRESENTATION

A. Accept the Quarterly report from the Alliance for Regional Military Support (ARMS).

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

MOTION: ACCEPT

Motion by County Judge Samaniego

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

Seconded by Commissioner Leon

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

JUDICIARY AND CORRECTIONS

10. Pursuant to Chapter 59.06(h) of the Code of Criminal Procedure, approve and authorize the transfer of 10% of the District Attorney Forfeiture funds in the amount of \$55,962.21 for the Women's Addiction & Recovery (WARrior) Treatment Court Program, for the prevention of drug abuse and the treatment of persons with drug-related problems. The funding request would be for the three months remaining in FY 2021 and FY 2022. Funding is available in SR-DA10%DF-OPS CONTINGENCIES.

Judge Maria Salas Mendoza, 120th DC & Judge Diane Navarrete, Criminal DC, No. 1 (915) 546-2143

MOTION: APPROVE

Motion by County Judge Samaniego
Seconded by Commissioner Holguin

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

LITIGATION, JUSTICE, AND LAW ENFORCEMENT

11. Approve and authorize the County Judge to sign the Subrecipient Agreement between The County of El Paso and the El Paso County Emergency Services District No. 2, outlining the terms for the County's allocation of ARP Act funds for the District's purchase of two Regional Mobile Command Vehicles as well as the use, operation, and maintenance of the two Command Units, subject to final legal approval. (Contract No. 2021-0523)

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

MOTION: APPROVE

Motion by County Judge Samaniego
Seconded by Commissioner Leon

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

ECONOMIC DEVELOPMENT

12. Discuss and take appropriate action on letters of support for regional organizations applying for the U.S. Small Business Administration's Community Navigator Pilot Program.

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

MOTION: APPROVE

Motion by Commissioner Leon
Seconded by County Judge Samaniego

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

HEALTH AND SOCIAL SERVICES

13. ARP PROPOSED FUNDED PROJECT: Approve and authorize the County Judge to sign the Subrecipient Grant Agreement between the County of El Paso and the Paso Del Norte Community Foundation for Covid-19 Communications and Outreach, to provide in-depth and strategic communication and outreach to El Paso residents regarding COVID-19 vaccines beginning upon the date of contract signature through September 30, 2021, in the amount of \$328,125. Funding is available in GARPLAN21. (Contract No. 2021-0518)

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

MOTION: APPROVE THE ITEM AS PRESENTED WITH THE NOTED DATE CHANGE AS DISCUSSED TO REFLECT OCTOBER 31, 2021.

Motion by County Judge Samaniego
Seconded by Commissioner Stout

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

14. Approve and authorize the County Judge to sign and accept the U.S. Department of Housing and Urban Development Continuum of Care (HUD CoC) Homeless Assistance Program for Coordinated Entry grant award from August 1, 2021, through July 31, 2022, in the amount of \$160,000. Cash match in the amount of \$40,000 is required and will be met by existing salaries. Funds are available in GF-GENASSIST-SALARY-FT REGULAR and GF-NUTRIADMIN-SALARY-FT REG (Contract No. 2021-0499)

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

MOTION: APPROVE

Motion by Commissioner Holguin
Seconded by County Judge Samaniego

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

15. Approve and authorize the County Judge to sign the Service Contract Agreement between the County of El Paso and Paseo Del Este Municipal Utility District No. 1 for Emergency Utility Assistance Program to assist low income eligible COVID-19 financially impacted households in the out-county area with water utility assistance. Funding is available in SG-FEDERA21-OPERATING EXPENSE. (Contract No. 2021-0528)
Irene G. Valenzuela, Executive Director, Community Services Department (915) 775-2708

MOTION: APPROVE

Motion by Commissioner Leon
Seconded by Commissioner Holguin

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

HUMAN RESOURCES

16. Discuss and take appropriate action regarding Janitorial Services for the El Paso County Employee Fitness and Wellness Center.
Melissa M. Carrillo, PHR, Chief Human Resources Officer, Human Resources Department (915) 546-2218

MOTION: APPROVE OPTION #3, AS PRESENTED.

Motion by Commissioner Stout
Seconded by Commissioner Leon

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

PUBLIC WORKS

17. Approve and authorize the County Judge to sign the Contract between Owner and Contractor with Black Stallion Contractors, Inc. for the Tornillo Guadalupe International Bridge (TGIB) Sidewalk Repair Project in the amount of \$196,864.50. Funds are available in CP-CPTGPOE12-CONSTRUCTION. (Contract No. 2021-0476)
Norma R. Palacios, Executive Director, Public Works Department (915) 546-2015

MOTION: APPROVE

Motion by Commissioner Holguin
Seconded by County Judge Samaniego

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

18. Approve and authorize the County Judge to sign the Job Order Contract with Jordan Foster Construction, LLC for the construction of Sportspark Canopies in the amount of \$283,348. Funding is available in CIP21-SPORTSPARK-IMPROVEMENT and GF-SPORTSPARK-CAP OUT-EQUIP. (Contract No. 2021-0480)
Norma R. Palacios, Executive Director, Public Works Department (915) 546-2015

MOTION: APPROVE

Motion by County Judge Samaniego
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 Contract Addendum with PC Automated Controls, Inc. for the replacement of two chillers at the Downtown Detention Facility in the amount of \$261,536.59. Funding is available in CP-CPCNTYCAP12-RENOVATIONS. (Contract No. 2021-0516)
Norma R. Palacios, Executive Director, Public Works Department (915) 546-2015

MOTION: APPROVE

Motion by Commissioner Leon
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 the Planning & Development Department to apply to the Texas Department of Transportation (TxDOT) American Rescue Plan (ARP) Act 5311 Grant, in the amount of \$72,080. No County match is required. Further authorize the County Judge to sign the Obligation Certificate. (Contract No. 2021-0524)
Jose M. Landeros, Director, Planning & Development Department (915) 546-2015

MOTION: APPROVE

Motion by County Judge Samaniego
Seconded by Commissioner Holguin

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

21. Approve and authorize the El Paso County Animal Welfare Department to apply for the Petco Foundation Animal Welfare Organizations Lifesaving Impact grant application in the amount of \$90,000. No County match required. (Contract No. 2021-0534)

Lauralei Combs, Executive Director, Animal Welfare Department (915) 538-2116

MOTION: APPROVE

Motion by Commissioner Holguin

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

Seconded by County Judge Samaniego

Members Voting Nay: None

22. INTO EXECUTIVE SESSION AT 11:20 A.M.

A. Discuss findings regarding persons necessary in Executive Session.

County Attorney's Office (915) 546-2050

B. Discuss a potential real estate property exchange in East El Paso County located within Zone Improvement Plan Code 79928, pursuant to Texas Government Code § 551.072.

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

C. Discuss pending litigation styled Monica Y. Provencio v. County of El Paso, Cause No. 2017-DCV-1719; County Attorney's case number 0143-17-LD, pursuant to Texas Government Code Section 551.071.

Ruben Duarte, 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 Project Cowboy Pivot, a private business prospect, pursuant to Texas Government Code section 551.087.

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

E. Discuss financial information and economic development negotiations received regarding a Chapter 381 Agreement with Project Golden Tree, 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 11:57 A.M.

22E. Discuss financial information and economic development negotiations received regarding a Chapter 381 Agreement with Project Golden Tree, a private business prospect, pursuant to Texas Government Code section 551.087.

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

MOTION: DELETE

Motion by County Judge Samaniego

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

Seconded by Commissioner Holguin

Members Voting Nay: None

MEETING RECESSED AT 12:02 P.M.

MEETING RECONVENED AT 1:04 P.M.

COUNTY ADMINISTRATION

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

MEETING RECESSED AT 1:15 P.M.

MEETING RECONVENED AT 1:24 P.M.

COUNTY ADMINISTRATION

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

MEETING ADJOURNED AT 2:00 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

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, JULY 19, 2021**

MEETING ADJOURNED AT 2:00 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