

**EL PASO COUNTY
COMMISSIONERS COURT**

CARLOS LEON
Commissioner, Pct. 1

ILIANA HOLGUIN
Commissioner, Pct. 3



DAVID STOUT
Commissioner, Pct. 2

SERGIO CORONADO
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, FEBRUARY 13, 2023**

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

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

1. MEETING CONVENED

Commissioners Court of El Paso County, Texas was called to order by the Deputy Clerk at 9:38 A.M.

2. PLEDGE OF ALLEGIANCE

Amalia Reveles, Homeschooled 3rd grade student, led the Commissioners Court in the Pledge of Allegiance and Texas Pledge.

3. INVOCATION

Receive an invocation from Joe Nevarez, a 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 February 6, 2023.
County Administration Department (915) 546-2215

B. Rescind the Commissioners Court Order of October 24, 2022, Item # 4C from the Consent Agenda to accept the quarterly report from the County Administration Department, and further approve the revised quarterly report for the quarter ending September 30, 2022.
Betsy C. Keller, CM, Chief Administrator, County Administration Department (915) 546-2215

C. Approve and authorize the purchase of tickets to the Bowie High School Jardin Gala in the amount of \$500 to support the community garden program, which is also associated with El Paso County's Health Food Financing Initiative, a county program that increases healthy food options for the underserved residents. Funding is available in GF-COMMISSNER2-OPS EXP-GEN DIS.
Betsy C. Keller, CM, Chief Administrator, County Administration Department (915) 546-2215

D. Approve and authorize the County Judge to sign the Interlocal Agreement for the Provision of Legal Services to Hudspeth County, Texas for a 90 day term, as needed not to exceed twenty hours per week. (Contract No. 2023-0118)
Edward Sosa, First Assistant County Attorney, County Attorney's Office (915) 546-2050

E. 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

F. Approve amendment No. 15 to the County of El Paso's 2022-2023 operating budget. This budgetary amendment will increase Grants by \$4,610,136.04, thus increasing the overall budget of \$575,245,209.89 to \$579,855,345.93.
Jessica C. Garza, Interim Director, Budget and Fiscal Policy Department (915) 546-2262

G. Approve and authorize the additional funding needed for the Parks & Recreation Department for the San Elizario Placita Improvement project. Further, approve the re-allocation of funding in the amount of \$2,218 from the CP-IMPROV01-MISCELLANEOUS to CIP23-COUNTY PARKS-IMPROVEMENT for the additional funding needed for the San Elizario Placita Improvement project.
Jessica C. Garza, Interim Director, Budget and Fiscal Policy Department (915) 546-226

H. Approve and authorize the additional funding needed for the Facilities Department for the Fire Alarm Riser Pump Conversion project at the Jail Annex. Further, approve the re-allocation of funding in the amount of \$74,558.27 from the CP-IMPROV01-MISCELLANEOUS to CIP23-FAC JAIL ANNEX-PWJA3-REN for the additional funding needed for the Fire Alarm Riser Pump Conversion project at the Jail Annex.
Jessica C. Garza, Interim Director, Budget and Fiscal Policy Department (915) 546-2262

I. **CORRECTION PER COMMUNITY SERVICES DEPARTMENT** - Approve and authorize the County Judge to sign the application and required forms needed for the Community Services Department to submit a funding proposal to the City of El Paso Department of Community and Human Development for Community Development Block Grant (CDBG) Public Services funds in the amount of \$100,000 to provide 18,940 nutritious noon-time home delivered meals to at least 73 eligible adults. A 10% match of the total related program budget is required (\$286,351) and will be met through existing salaries and benefits, which will be **AVAILABLE IN GF-NUTRITION-XFER OUT-GRNTMTCH**. (Contract No. 2023-0119)
Irene G. Valenzuela, Executive Director, Community Services Department (915) 775-2708

J. Approve and authorize the County Judge to sign the Third Party Hardware, Software and Services Agreement with Tyler Technologies for 3 Brazos E-Citation devices, printers, associated hardware, software, services and warranties for the Office of the Constable, Pct. 4 in the amount of \$12,127. Funding is available in SR-JPTECH-CAP OUT-EQUIP. 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. 2023-0097)
Constable Luis Aguilar, Office of the Constable, Pct. 4 (915) 538-1622

K. Approve and authorize the County Judge to sign the Office of the Attorney General Statewide Automated Victim Notification Services (SAVNS) Fiscal year 2023 Q1 Invoice in the amount of \$7,350.79, the Invoice Certification Required by Texas Grant Management Standards, and the Quarterly Verification of Continuing Production Record form for automated victim information and notification in El Paso County. There is no fiscal impact to the County general fund budget.

Bill D. Hicks, District Attorney, District Attorney's Office (915) 546-2059 x4077

L. Approve and authorize the County Judge to sign the Agreement between El Paso County and Pre-Paid Legal Services, Inc. d/b/a LegalShield for Pre-paid Legal Services for County employees. (Contract No. 2022-0950)

Minnie Holguin, Chief Human Resources Officer, Human Resources Department (915) 546-2218

M. Accept the Quarterly Report from the Juvenile Probation Department.

Rosie Medina, Chief Juvenile Probation Officer, Juvenile Probation Department (915) 849-2500

N. Approve and authorize the County Judge to sign the FY2023 Federal Transit Administration (FTA) & Texas Department of Transportation (TxDOT) Certifications and Assurances, subject to final legal review and approval by the County Attorney's Office. This document is required by all subrecipients set to receive federal funds through TxDOT. There is no fiscal impact to the County. (Contract No. 2023-0122)

Sal Alonzo, Associate Director, Planning & Development Department (915) 546-2015

O. Pursuant to Texas Local Government Sections 232.028 and 232.029, approve and authorize the issuance of certification regarding compliance with applicable plat requirements as provided on the attached listing.

Sal Alonzo, Associate Director, Planning & Development Department (915) 546-2015

P. Approve and authorize the Purchasing Agent to implement the Federal Acquisition Regulations (FAR) and 2 CFR 200 Subchapter D thresholds for Federal funds for Notice of Funding Opportunity (NOFO) recipients of ARPA funds to \$250,000 on informal procurement. Effective immediately upon approval. (1160-OP)

Karen L. Davidson, Purchasing Agent, Purchasing Department (915) 546-2048

Q. Rescind the Commissioners Court Order of January 9, 2023, Item No. 4W on the Consent Agenda to approve the purchase of ADI Service for El Paso County through Information Technology Department (12300892) using DIR-TELE-CTSA-002 awarded to AT&T Corp. of Bedminster, NJ in the amount of \$60,300.72 (24-Month Fee) to include pricing fluctuations as mutually agreed to in writing and remaining within the terms of the agreement. Further, approve the corrected purchase of ADI Service for El Paso County through Information Technology Department (12300892) using DIR-TELE-CTSA-002 awarded to Texas Department of Information Resources of Austin, TX (AT&T Corp. of Bedminster, NJ) in the amount of \$60,300.72 (24-Month Fee) to include pricing fluctuations as mutually agreed to in writing and remaining within the terms of the agreement. Purchasing approved on December 15, 2022. Funding is available in GF-ITD-COMMUNIC-DATA.

Karen L. Davidson, Purchasing Agent, Purchasing Department (915) 546-2048

R. Approve and authorize the County Judge to sign the agreement with Pitney Bowes, Inc. National Business Center of Chesapeake, VA, using BuyBoard #656-21 for the lease of in-processing and tracking equipment for the County Purchasing Department for a monthly cost of \$462.42 and total contract term amount of \$27,745.20. Funding is available in GF-PURCHASING-RENT/LEASES. (Contract No. 2023-0017)

Karen L. Davidson, Purchasing Agent, Purchasing Department (915) 546-2048

S. Approve and authorize the Sole Source Purchase of Enterprise Case Management Software utilized by Community Services through Information Technology Department (12302887) from Caseworthy, Inc. of West Valley City, UT in the amount of \$56,968.82. Funds are available in GF-ITD-MAINT/REP-SOFTWARE. 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.

Karen L. Davidson, Purchasing Agent, Purchasing Department (915) 546-2048

T. Approve and authorize the Purchasing Agent to solicit proposals for Congregate and Home Delivered Meals for the City-County Nutrition Program. In accordance with Local Government Code 262.030, the Purchasing Agent has reviewed use of the Request for Proposal (RFP) process.

Karen L. Davidson, Purchasing Agent, Purchasing Department (915) 546-2048

U. 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.

Karen L. Davidson, Purchasing Agent, Purchasing Department (915) 546-2048

MOTION: APPROVE

Motion by Commissioner Leon

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

Seconded by County Judge Samaniego

Members Voting Nay: None

5. RESOLUTIONS

A. Approve and adopt a resolution proclaiming February 27- March 3, 2023, as "Kids & Kows & More" week. David C. Stout, Commissioner, Pct. 2 (915) 546-2111

MOTION: APPROVE

Motion by Commissioner Stout

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

Seconded by County Judge Samaniego

Members Voting Nay: None

B. Approve and adopt a Resolution proclaiming the month of February as "Cervical Cancer and HPV Prevention Month" in El Paso County, Texas.

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

MOTION: APPROVE

Motion by Commissioner Holguin

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

Seconded by County Judge Samaniego

Members Voting Nay: None

C. Approve and adopt a resolution recognizing February 14 - February 16, 2023 as "El Paso Days at the State Capitol".

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

MOTION: APPROVE

Motion by Commissioner Holguin

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

Seconded by County Judge Samaniego

Members Voting Nay: None

D. Approve and adopt a resolution recognizing Marathon Petroleum Corporation for awarding El Paso County and the Veterans Capital of the USA, the "Community Investment Grant of 2022."

Ricardo A. Samaniego, County Judge, County Judge's Office (915) 546-2098

MOTION: APPROVE

Motion by County Judge Samaniego

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

Seconded by Commissioner Holguin

Members Voting Nay: None

E. Approve and adopt a resolution recognizing Nexus Health Solutions a new medical laboratory serving the greater area of El Paso County, Texas.

Ricardo A. Samaniego, County Judge, County Judge's Office (915) 546-2098

MOTION: APPROVE

Motion by County Judge Samaniego

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

Seconded by Commissioner Holguin

Members Voting Nay: None

F. Approve and adopt a resolution recognizing our 2023 Tri-Era Veterans in El Paso County, Texas.

Ricardo A. Samaniego, County Judge, County Judge's Office (915) 546-2098

MOTION: APPROVE

Motion by County Judge Samaniego

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

Seconded by Commissioner Holguin

Members Voting Nay: None

6. PUBLIC COMMENT

NO ACTION

REGULAR AGENDA

7. Discuss and take appropriate action regarding the 88th 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.
Elisa Tamayo, Governmental Affairs Manager, County Administration Department (915) 546-2215

MOTION: APPROVE SUPPORT FOR THE FOLLOWING ADDITION TO THE LEGISLATIVE VALUES STATEMENT AND LEGISLATIVE BILLS:

- **SUPPORT LEGISLATIVE EFFORTS TO CREATE A WEST TEXAS SPACEPORT DEVELOPMENT CORPORATION, ACCEPTING STATE SPACE GRANT FUNDS UNDER THE TEXAS SPACEPORT TRUST FUND FOR INFRASTRUCTURE DEVELOPMENT, AND REQUESTING \$50M IN FUNDING THROUGH TEXAS LOCAL GOVERNMENT CODE CHAPTER 507 LEGISLATION.**
- **HB 103 – ALLOWS A RETIRED JUDGE WITH 96 MONTHS OF SERVICE TO SERVE AS A RETIRED VISITING JUDGE TO A CONSTITUTIONAL COUNTY COURT**
- **HB 251 – ASSESSES VISITING STATUTORY PROBATE JUDGE FEES AGAINST ESTATE**
- **HB 458 – REQUIRES TJJD TO ACCEPT A COMMITTED JUVENILE WITHIN 30 DAYS**
- **HB 499 – ALLOWS ALL COUNTIES TO ADOPT COUNTYWIDE VOTING**
- **HB 1132 – RAISES BID LIMIT FROM \$50,000 TO \$100,000**
- **SB 157* – RAISES WARRANT FEE FROM \$50 TO \$75 FOR FELONY, CLASS A AND CLASS B OFFENSES**
- **SJR 20 – AUTHORIZES OPTIONAL DOLLAR AMOUNT FOR COUNTY HOMESTEAD EXEMPTION**

Motion by Commissioner Holguin
Seconded by Commissioner Stout

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

MOTION: OPPOSE THE FOLLOWING LEGISLATIVE BILLS:

- **HB 192 – RELATING TO THE POSSESSION OF A WEAPON IN CERTAIN LOCATIONS OF A GOVERNMENT COURT**
- **HB 445 – RELATING TO THE SPECIFIED USE OF BOND PROCEEDS BY A COUNTY OR MUNICIPALITY**
- **SB 304 – RELATING TO PROHIBITED IMMUNIZATION STATUS DISCRIMINATION AND VACCINE MANDATES; AUTHORIZING ADMINISTRATIVE PENALTIES**
- **HB 257 – ALLOWS THE SALE OF FIREWORKS ON JULY 5TH**
- **HB 1489 – RESTRICTS USE OF CERTIFICATES OF OBLIGATION**
- **SB 171 – REQUIRES CRIMINAL DISPOSITION REPORTING WITHIN 5 DAYS JEOPARDIZING GRANTS**
- **SB 175 – SILENCES COUNTY OFFICIALS LEGISLATIVE COMMUNICATIONS AND DELETES TAC'S ENABLING STATUTE**

Motion by Commissioner Stout
Seconded by Commissioner Leon

Members Voting Aye: Judge Samaniego, Leon, Stout, Coronado
Members Voting Nay: Holguin

MOTION: INCLUDE OPPOSITION TO HB 1818 - RELATING TO THE CALCULATION OF THE VOTER-APPROVAL TAX RATE OF CERTAIN COUNTIES AND THE PROCEDURE FOR THE ADOPTION BY SUCH A COUNTY OF A TAX RATE THAT EXCEEDS THAT RATE; MAKING CONFORMING CHANGES.

Motion by County Judge Samaniego
Seconded by Commissioner Leon

Members Voting Aye: Judge Samaniego, Leon, Stout, Coronado
Members Voting Nay: Holguin

COUNTY ADMINISTRATION

8. Discuss and take appropriate action regarding adoption of the West Texas Spaceport Development Corporation bylaws upon final review and approval from the County Attorney's Office. (OP-22-957)
Jose M. Landeros, Director of Strategic Development, County Administration Department (915) 546-2215

MOTION: APPROVE THE ADOPTION OF THE WEST TEXAS SPACEPORT DEVELOPMENT CORPORATION BYLAWS UPON FINAL REVIEW AND APPROVAL FROM THE COUNTY ATTORNEY'S OFFICE. (OP-22-957)

Motion by Commissioner Holguin
Seconded by County Judge Samaniego

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

MEETING RECESSED AT 11:57 A.M.

MEETING RECONVENED AT 12:16 P.M.

COUNTY ADMINISTRATION

9. Discuss and take appropriate action regarding the FY2023 General Fund appropriation for a Workforce Development Services agreement with Project Arriba in the amount of \$150,000 from October 1, 2022, through September 30, 2023.

Jose M. Landeros, Director of Strategic Development, County Administration Department (915) 546-2215

AMERICAN RESCUE PLAN

11. (ARP Project No. 1371) Approve and authorize the County Judge to execute the El Paso County American Rescue Plan Act Notice of Funding Opportunity Subrecipient or Beneficiary Agreements with various community partners and agencies as shown on the attached listing upon final legal review and approval. Funding is available in SG-ARPLAN21-ECNIMP-GTS. (Contract Nos. 2023-0090 and 2023-0112)

Jose M. Landeros, Director of Strategic Development, County Administration Department (915) 546-2159

MOTION: APPROVE AND AUTHORIZE THE COUNTY JUDGE TO EXECUTE THE EL PASO COUNTY AMERICAN RESCUE PLAN ACT NOTICE OF FUNDING OPPORTUNITY SUBRECIPIENT AGREEMENT WITH EL PASOANS FIGHTING HUNGER UPON FINAL LEGAL REVIEW AND APPROVAL. (CONTRACT NO. 2023-0112)

Motion by Commissioner Holguin
Seconded by Commissioner Leon

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

MOTION: APPROVE AND AUTHORIZE THE COUNTY JUDGE TO EXECUTE THE EL PASO COUNTY AMERICAN RESCUE PLAN ACT NOTICE OF FUNDING OPPORTUNITY SUBRECIPIENT AGREEMENT WITH PROJECT ARRIBA UPON FINAL LEGAL REVIEW AND APPROVAL. (CONTRACT NO. 2023-0090)

Motion by Commissioner Stout
Seconded by Commissioner Leon

Members Voting Aye: Judge Samaniego, Leon, Stout, Coronado
Members Voting Nay: Holguin

COUNTY ADMINISTRATION

9. Discuss and take appropriate action regarding the FY2023 General Fund appropriation for a Workforce Development Services agreement with Project Arriba in the amount of \$150,000 from October 1, 2022, through September 30, 2023.

Jose M. Landeros, Director of Strategic Development, County Administration Department (915) 546-2215

MOTION: APPROVE THE FY2023 GENERAL FUND APPROPRIATION FOR A WORKFORCE DEVELOPMENT SERVICES AGREEMENT WITH PROJECT ARRIBA IN THE AMOUNT OF \$150,000 FROM OCTOBER 1, 2022, THROUGH SEPTEMBER 30, 2023, PENDING A CONTRACT THAT WOULD BE BROUGHT BACK TO THE COURT FOR IT'S CONSIDERATION.

Motion by Commissioner Stout
Seconded by County Judge Samaniego

Members Voting Aye: Judge Samaniego, Stout, Coronado
Members Voting Nay: Leon, Holguin

10. Discuss and take appropriate action regarding El Paso County's preparation and response for public health emergencies.

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

NO ACTION

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.

12. Approve and authorize the County Attorney's Office to apply for the Office of the Governor, FY23 County Essential Services Grant Program from March 1, 2023, to September 30, 2024, in the amount of \$250,905, pending final legal review and approval from the County Attorney's Office. No County match is required. Further, authorize the County Judge to sign the accompanying resolution. (Contract No. 2023-0123)
Jo Anne Bernal, County Attorney, County Attorney's Office (915) 546-2050

MOTION: APPROVE

Motion by Commissioner Leon
Seconded by County Judge Samaniego

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

13. INTO EXECUTIVE SESSION AT 1:32 P.M.

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

B. CORRECTION PER COUNTY ATTORNEY'S OFFICE - Discuss potential litigation **IN US VS. HELAMAN HANSON, NO. 22-179**, County Attorney's file number 0011-23-AA, pursuant to Texas Government Code Section 551.071.
Jed Untereker, Assistant County Attorney, County Attorney's Office (915) 546-2050

C. Discuss legal rights and responsibilities related to the Chapter 381 Economic Development Program Agreement, Financial Assistance for Safety, Technology, and Economic Resilience (FASTER), as amended, between LiftFund Inc. and El Paso County, pursuant to Texas Government Code Section 551.071.
Erica Rosales Nigaglioni, Assistant County Attorney, County Attorney's Office (915) 546-2050

REGULAR SESSION RECONVENED AT 2:17 P.M.

14. Discuss and take appropriate action related to the Chapter 381 Economic Development Program Agreement, Financial Assistance for Safety, Technology, and Economic Resilience (FASTER), as amended, between LiftFund Inc. and El Paso County.
Erica Rosales Nigaglioni, Assistant County Attorney, County Attorney's Office (915) 546-2050

NO ACTION

MEETING ADJOURNED AT 2:19 P.M.

**EL PASO COUNTY
COMMISSIONERS COURT**

CARLOS LEON
Commissioner, Pct. 1

ILIANA HOLGUIN
Commissioner, Pct. 3



DAVID STOUT
Commissioner, Pct. 2

SERGIO CORONADO
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
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**COMMISSIONERS COURT REGULAR MEETING MINUTES
MONDAY, FEBRUARY 13, 2023**

MEETING ADJOURNED AT 2:19 P.M.

ATTEST:

DELIA BRIONES, COUNTY CLERK
EL PASO COUNTY, TEXAS

A handwritten signature in cursive script, reading "Cesar O. Nava", is written over a horizontal line.

CESAR O. NAVA, DEPUTY CLERK

EXAMINED AND APPROVED BY ME THIS

27 DAY OF February, 2023

A handwritten signature in cursive script, reading "Ricardo A. Samaniego", is written over a horizontal line.

COUNTY JUDGE RICARDO A. SAMANIEGO, PRESIDING

2023 FEB 10 AM 9:07

DELIA BRIONES
COUNTY CLERK
EL PASO COUNTY, TEXAS

EL PASO COUNTY COMMISSIONERS COURT

CARLOS LEON
Commissioner, Pct.1

ILIANA HOLGUIN
Commissioner, Pct.3



DAVID STOUT
Commissioner, Pct.2

SERGIO CORONADO
Commissioner, Pct.4

RICARDO A. SAMANIEGO
County Judge

This meeting may include one or more Commissioners that will participate by videoconference, and El Paso County employees that will participate by videoconference, which is allowed pursuant to Texas Government Code Section 551.127. A quorum of the Commissioners Court will be physically present at the El Paso County Courthouse, Commissioners Court Chambers, 500 East San Antonio Room 303 El Paso, Texas 79901. A member of the Commissioners Court who is presiding over the meeting will also be physically present at the location listed above. The meeting is open to the public during the open portions of the meeting, and the Commissioner participating by video conference shall be visible and audible to the public for as long as the Commissioner is able to participate.

Members of the public will be entitled to participate and address the governmental body during any telephonic or videoconference meeting.

To watch the meeting, please visit: <https://www.epcounty.com/video/or>
<https://www.youtube.com/channel/UC-2RxYOS6Y6VkDlp5eM0OLA>

To participate in public comment, please call: 888-835-7276 or 888-8 EL PASO.

Members of the public may also participate via videoconference by visiting:
<https://www.epcounty.com/public-comment.htm>. Agendas will continue to be posted online
at: <https://elpaso.novusagenda.com/AgendaPublic/>

If you have any questions or need additional assistance, please contact us at (915) 546-2215

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>

Please place all electronic devices on silent mode to reduce disruption of the meeting.

AGENDA

Regular Meeting, February 13, 2023 - 9:30 AM

Strategic Plan
Priority

1. OPEN MEETING
2. PLEDGE OF ALLEGIANCE
3. INVOCATION

A. Receive an invocation.

4. CONSENT AGENDA

NOTICE TO THE PUBLIC

All matters listed under the Consent Agenda will be considered by the Commissioners Court to be routine and will be enacted by one motion in the form listed below. There will be no separate discussion of these items unless members of the Court or persons in the audience request that specific items be moved from the Consent Agenda to the Regular Agenda for discussion prior to the time the Commissioners Court votes on the motion to adopt the Consent Agenda.

All matters listed on the Consent Agenda and Regular Agenda may be discussed in Executive Session at the discretion of the El Paso County Commissioners Court and following verbal announcement, if an appropriate exception to the open meeting requirement of the Texas Open Meetings Act is applicable.

A. Approval of the Minutes of the regular meeting of February 6, 2023.

County Administration Department (915) 546-2215

B. Rescind the Commissioners Court Order of October 24, 2022, Item # 4C from the Consent Agenda to accept the quarterly report from the County Administration Department, and further approve the revised quarterly report for the quarter ending September 30, 2022.

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

C. Approve and authorize the purchase of tickets to the Bowie High School Jardin Gala in the amount of \$500 to support the community garden program, which is also associated with El Paso County's Health Food Financing Initiative, a county program that increases healthy food options for the underserved residents. Funding is available in GF-COMMISSNER2-OPS EXP-GEN DIS.

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

D. Approve and authorize the County Judge to sign the Interlocal Agreement for the Provision of Legal Services to Hudspeth County, Texas for a 90 day term, as needed not to exceed twenty hours per week. (Contract No. 2023-0118)

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

E. 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

- F. Approve amendment No. 15 to the County of El Paso's 2022-2023 operating budget. This budgetary amendment will increase Grants by \$4,610,136.04, thus increasing the overall budget of \$575,245,209.89 to \$579,855,345.93.

Jessica C. Garza, Interim Director, Budget and Fiscal Policy Department (915) 546-2262

- G. Approve and authorize the additional funding needed for the Parks & Recreation Department for the San Elizario Placita Improvement project. Further, approve the re-allocation of funding in the amount of \$2,218 from the CP-IMPROV01-MISCELLANEOUS to CIP23-COUNTY PARKS-IMPROVEMENT for the additional funding needed for the San Elizario Placita Improvement project.

Jessica C. Garza, Interim Director, Budget and Fiscal Policy Department (915) 546-2262

- H. Approve and authorize the additional funding needed for the Facilities Department for the Fire Alarm Riser Pump Conversion project at the Jail Annex. Further, approve the re-allocation of funding in the amount of \$74,558.27 from the CP-IMPROV01-MISCELLANEOUS to CIP23-FAC JAIL ANNEX-PWJA3-REN for the additional funding needed for the Fire Alarm Riser Pump Conversion project at the Jail Annex.

Jessica C. Garza, Interim Director, Budget and Fiscal Policy Department (915) 546-2262

- I. Approve and authorize the County Judge to sign the application and required forms needed for the Community Services Department to submit a funding proposal to the City of El Paso Department of Community and Human Development for Community Development Block Grant (CDBG) Public Services funds in the amount of \$100,000 to provide 18,940 nutritious noon-time home delivered meals to at least 73 eligible adults. A 10% match of the total related program budget is required (\$286,351) and will be met through existing salaries and benefits, which will be in GF-GF-NUTRITION-XFER OUT-GRNTMTCH. (Contract No. 2023-0119)

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

- J. Approve and authorize the County Judge to sign the Third Party Hardware, Software and Services Agreement with Tyler Technologies for 3 Brazos E-Citation devices, printers, associated hardware, software, services and warranties for the Office of the Constable, Pct. 4 in the amount of \$12,127. Funding is available in SR-JPTECH-CAP OUT-EQUIP. 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. 2023-0097)

Constable Luis Aguilar, Office of the Constable, Pct. 4 (915) 538-1622

- K. Approve and authorize the County Judge to sign the Office of the Attorney General Statewide Automated Victim Notification Services (SAVNS) Fiscal year 2023 Q1 Invoice in the amount of \$7,350.79, the Invoice Certification Required by Texas Grant Management Standards,

and the Quarterly Verification of Continuing Production Record form for automated victim information and notification in El Paso County. There is no fiscal impact to the County general fund budget.

Bill D. Hicks, District Attorney, District Attorney's Office (915) 546-2059 x4077

- L. Approve and authorize the County Judge to sign the Agreement between El Paso County and Pre-Paid Legal Services, Inc. d/b/a LegalShield for Pre-paid Legal Services for County employees. (Contract No. 2022-0950)

Minnie Holguin, Chief Human Resources Officer, Human Resources Department (915) 546-2218

- M. Accept the Quarterly Report from the Juvenile Probation Department.

Rosie Medina, Chief Juvenile Probation Officer, Juvenile Probation Department (915) 849-2500

- N. Approve and authorize the County Judge to sign the FY2023 Federal Transit Administration (FTA) & Texas Department of Transportation (TxDOT) Certifications and Assurances, subject to final legal review and approval by the County Attorney's Office. This document is required by all subrecipients set to receive federal funds through TxDOT. There is no fiscal impact to the County. (Contract No. 2023-0122)

Sal Alonzo, Associate Director, Planning & Development Department (915) 546-2015

- O. Pursuant to Texas Local Government Sections 232.028 and 232.029, approve and authorize the issuance of certification regarding compliance with applicable plat requirements as provided on the attached listing.

Sal Alonzo, Associate Director, Planning & Development Department (915) 546-2015

- P. Approve and authorize the Purchasing Agent to implement the Federal Acquisition Regulations (FAR) and 2 CFR 200 Subchapter D thresholds for Federal funds for Notice of Funding Opportunity (NOFO) recipients of ARPA funds to \$250,000 on informal procurement. Effective immediately upon approval. (1160-OP)

Karen L. Davidson, Purchasing Agent, Purchasing Department (915) 546-2048

- Q. Rescind the Commissioners Court Order of January 9, 2023, Item No. 4W on the Consent Agenda to approve the purchase of ADI Service for El Paso County through Information Technology Department (12300892) using DIR-TELE-CTSA-002 awarded to AT&T Corp. of Bedminster, NJ in the amount of \$60,300.72 (24-Month Fee) to include pricing fluctuations as mutually agreed to in writing and remaining within the terms of the agreement. Further, approve the corrected purchase of ADI Service for El Paso County through Information Technology Department (12300892) using DIR-TELE-CTSA-002 awarded to Texas Department of Information Resources of Austin, TX (AT&T Corp. of Bedminster, NJ) in the amount of \$60,300.72 (24-Month Fee) to include pricing fluctuations as mutually agreed to in writing and remaining within the terms of the agreement. Purchasing approved on December 15, 2022. Funding is available in GF-ITD-COMMUNIC-DATA.

Karen L. Davidson, Purchasing Agent, Purchasing Department (915) 546-2048

- R. Approve and authorize the County Judge to sign the agreement with Pitney Bowes, Inc. National Business Center of Chesapeake, VA,

using BuyBoard #656-21 for the lease of in-processing and tracking equipment for the County Purchasing Department for a monthly cost of \$462.42 and total contract term amount of \$27,745.20. Funding is available in GF-PURCHASING-RENT/LEASES. (Contract No. 2023-0017)

Karen L. Davidson, Purchasing Agent, Purchasing Department (915) 546-2048

- S. Approve and authorize the Sole Source Purchase of Enterprise Case Management Software utilized by Community Services through Information Technology Department (12302887) from Caseworthy, Inc. of West Valley City, UT in the amount of \$56,968.82. Funds are available in GF-ITD-MAINT/REP-SOFTWARE. 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.

Karen L. Davidson, Purchasing Agent, Purchasing Department (915) 546-2048

- T. Approve and authorize the Purchasing Agent to solicit proposals for Congregate and Home Delivered Meals for the City-County Nutrition Program. In accordance with Local Government Code 262.030, the Purchasing Agent has reviewed use of the Request for Proposal (RFP) process.

Karen L. Davidson, Purchasing Agent, Purchasing Department (915) 546-2048

- U. 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.

Karen L. Davidson, Purchasing Agent, Purchasing Department (915) 546-2048

5. RESOLUTIONS

- A. Approve and adopt a resolution proclaiming February 27- March 3, 2023, as "Kids & Kows & More" week.

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

- B. Approve and adopt a Resolution proclaiming the month of February as "Cervical Cancer and HPV Prevention Month" in El Paso County, Texas.

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

- C. Approve and adopt a resolution recognizing February 14 - February 16, 2023 as "El Paso Days at the State Capitol".

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

- D. Approve and adopt a resolution recognizing Marathon Petroleum Corporation for awarding El Paso County and the Veterans Capital of the USA, the "Community Investment Grant of 2022."

Ricardo A. Samaniego, County Judge, County Judge's Office (915) 546-2098

- E. Approve and adopt a resolution recognizing Nexus Health Solutions a new medical laboratory serving the greater area of El Paso County, Texas.

Ricardo A. Samaniego, County Judge, County Judge's Office (915) 546-2098

- F. Approve and adopt a resolution recognizing our 2023 Tri-Era Veterans in El Paso County, Texas.

Ricardo A. Samaniego, County Judge, County Judge's Office (915) 546-2098

6. PUBLIC COMMENT

REGULAR AGENDA

7. Discuss and take appropriate action regarding the 88th 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.

Elisa Tamayo, Governmental Affairs Manager, County Administration Department (915) 546-2215

COUNTY ADMINISTRATION

8. Discuss and take appropriate action regarding adoption of the West Texas Spaceport Development Corporation bylaws upon final review and approval from the County Attorney's Office. (OP-22-957)

Jose M. Landeros, Director of Strategic Development, County Administration Department (915) 546-2215

9. Discuss and take appropriate action regarding the FY2023 General Fund appropriation for a Workforce Development Services agreement with Project Arriba in the amount of \$150,000 from October 1, 2022, through September 30, 2023.

Jose M. Landeros, Director of Strategic Development, County Administration Department (915) 546-2215

10. Discuss and take appropriate action regarding El Paso County's preparation and response for public health emergencies.

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

AMERICAN RESCUE PLAN

11. (ARP Project No. 1371) Approve and authorize the County Judge to execute the El Paso County American Rescue Plan Act Notice of Funding Opportunity Subrecipient or Beneficiary Agreements with various community partners and agencies as shown on the attached listing upon final legal review and approval. Funding is available in SG-ARPLAN21-ECNIMP-GTS. (Contract Nos. 2023-0090 and 2023-0112)

Jose M. Landeros, Director of Strategic Development, County Administration Department (915) 546-2159

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.

12. Approve and authorize the County Attorney's Office to apply for the Office of the Governor, FY23 County Essential Services Grant Program from March 1, 2023, to September 30, 2024, in the amount of \$250,905, pending final legal review and approval from the County

Attorney's Office. No County match is required. Further, authorize the County Judge to sign the accompanying resolution. (Contract No. 2023-0123)

Jo Anne Bernal, County Attorney, County Attorney's Office (915) 546-2050

13. EXECUTIVE SESSION

Only the members of the Commissioners Court have a right to attend an executive session, except that legal counsel must be present if the executive session is held pursuant to Government Code section 551.071. In addition to legal counsel, Commissioners Court may include in executive session certain officers and employees if it finds that (1) their participation is necessary to the matter under consideration; (2) their interests are not adverse to the county, and (3) their presence will not waive the attorney client privilege. Generally, the Chief Administrator, Budget Executive Director, County Clerk's representatives, and County Auditor's Office representatives attend the closed session items based on the enumerated criteria, and certain other persons may attend based on the above-listed criteria or as otherwise provided by law.

A. Discuss findings regarding persons necessary in Executive Session.

County Attorney's Office (915) 546-2050

B. Discuss potential litigation matters related to US v. Sineneng-Smith, County Attorney's file number 0011-23-AA, pursuant to Texas Government Code Section 551.071.

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

C. Discuss legal rights and responsibilities related to the Chapter 381 Economic Development Program Agreement, Financial Assistance for Safety, Technology, and Economic Resilience (FASTER), as amended, between LiftFund Inc. and El Paso County, pursuant to Texas Government Code Section 551.071.

Erica Rosales Nigaglioni, Assistant County Attorney, County Attorney's Office (915) 546-2050

REGULAR SESSION

14. Discuss and take appropriate action related to the Chapter 381 Economic Development Program Agreement, Financial Assistance for Safety, Technology, and Economic Resilience (FASTER), as amended, between LiftFund Inc. and El Paso County.

Erica Rosales Nigaglioni, Assistant County Attorney, County Attorney's Office (915) 546-2050