

**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 27, 2023**

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

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

1. MEETING CONVENED

Commissioners Court of El Paso County, Texas was called to order by the Deputy Clerk at 9:36 A.M.

2. PLEDGE OF ALLEGIANCE

3. INVOCATION

Receive an invocation from Father Michael Gallagher from Sacred Heart Church.

4. CONSENT AGENDA

- A. Approval of the Minutes of the regular meeting of February 13, 2023, and the special meetings of February 22, 2023, and February 23, 2023.
County Administration Department (915) 546-2215
- B. Approve and authorize the County Judge to execute Task Order Nos. 002-A (Office of Medical Examiner) and 002-B (Juvenile Justice Center Improvements) with Consor Engineers for the provision of Program Management & Administration & Design Support Services for each respective 2023 Tax Anticipation Note Project. Funding in the amount of \$740,897.79 will be available CP-TN23A-ENGINEER-CONSULT SVCS upon completion of the budget transfer establishing project accounts. (Contract Nos. 2023-0092 and 2023-0098)
Jose M. Landeros, Director of Strategic Development, County Administration Department (915) 546-2159
- C. Approve and authorize the County Judge to sign the County of El Paso, Texas Contract Services Agreement for Consultant Services with Lyle Sumek, dba Sumek and Associates, for strategic planning consulting services in an amount not to exceed \$30,000, subject to final review and approval from the County Attorney's Office. Funding is available in GF-CNTYADMIN-CONTR SVC-GEN. (Contract No. 2023-0157)
Betsy C. Keller, CM, Chief Administrator, County Administration Department (915) 546-2215
- D. Approve the reappointment of County Judge Ricardo Samaniego's nominee, Miguel Fernandez, to the El Paso County Hospital District Board of Trustees for a full three-year term beginning April 1, 2023, through March 31, 2026.
Betsy C. Keller, CM, Chief Administrator, County Administration Department (915) 546-2215
- E. Accept the quarterly report from the El Paso County Housing Authority.
Miguel Hernandez, Executive Director, El Paso County Housing Authority (915) 764-3559
- F. Rescind the Commissioners Court Order of January 23, 2023, Item No 4D on the Consent Agenda, to approve and authorize the County Judge to sign the Release of Lien in Bond Forfeiture case, Cause No. 2017-CBF01543.
Cristina Viesca-Santos, Assistant County Attorney, County Attorney's Office (915) 546-2050
- G. 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
- H. Approve and authorize the County Judge to sign the Red Flag Reporting Service Agreement and Addendum with RFR Resources, LLC (Redflagreporting.com) for anonymous fraud, waste and abuse hotline services for one-year term in the amount of \$6,800. Funding is available in GF-AUDITOR-RENT/LEASES-SOFTWARE. (Contract No. 2023-0117)
Edward A. Dion, County Auditor, County Auditor's Office (915) 546-2040
- I. Approve amendment No. 16 to the County of El Paso's 2022-2023 operating budget. This budgetary amendment will increase Capital Projects by \$41,345,000.00, increase Grants by \$1,461,178.32, thus increasing the overall budget of \$579,855,345.93 to \$622,661,524.25.
Jessica C. Garza, Interim Director, Budget and Fiscal Policy Department (915) 546-2262
- J. Approve and authorize the County Judge to sign the Clinician-Officer Remote Evaluation ("Core") Program Memorandum of Understanding with El Paso MHMR, dba Emergence Health Network for the Office of the Constable, Pct. 1 to assist officers in the field with effectively responding to mental health crisis calls by securely connecting the officers with an EHN mental health professional using a HIPAA-approved technology platform, effective upon the last date of signature by either party. (Contract No. 2022-1069)
Oscar Ugarte, Constable, Pct. 1 (915) 246-7776
- K. Approve and authorize the County Judge to sign the First Amendment to Contract 2022-0938, the HOT Event Grant Award Services Agreement with the Texas State Historical Association to increase the amount of the grant by \$2,300, for a total grant award of \$22,300. Funding is available in SR-TOURPROM-HISTORICAL EVENTS. (Contract No. 2023-0130)
Jose M. Landeros, Director of Strategic Development, County Administration Department (915) 546-215

L. Pursuant to Texas Local Government Code §381.004, retroactively approve and authorize the Economic Development Department's participation and financial support of the Borderplex Alliance in the amount of \$12,927.81, the Aerospace Center in the amount of \$4,084.75, and the Camino Real Regional Mobility Authority in the amount of \$5,369.54, each for the purpose of targeting new businesses or expanding existing companies in El Paso County that might otherwise opt to locate in a different region or state. Funding in the amount of \$22,382.10 is available in GF-GADM-ECON IMPACT FUND.

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

M. Approve and authorize the County Judge to sign the Master Services Agreement between El Paso County and Navigate Wellness, LLC for an online portal for the County's Wellness Program. Funds are available in the Aetna Wellness Allowance account. There is no direct cost to the County Budget. (Contract No. 2022-1036)

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

N. Approve and authorize the Group Life Insurance Policy and Certificates with the Standard Insurance Company for Basic Life, Basic Dependent Life, and Accidental Death & Dismemberment (AD&D) Insurance for County of El Paso Employees. Funds are available in various departmental accounts INSURANCE-LIFE. (Contract No. 2023-0024)

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

O. Approve and authorize the County Attorney's Office Senior Trial Attorney (A02) employee transfer at a step 7 based on additional qualifications relevant to the position. Funding is available through GF-CNTYATTY-SALARY-FT REGULAR.

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

P. Approve and authorize the County Judge to sign the AT&T Dedicated Internet Services (ADI) Order Form between the El Paso County and Texas Department of Information and AT&T Corporation for the Countywide ADI (12300892) using DIR-TELE-CTSA-002. Funding is available in the total amount of \$60,300.72 (24-Month Fee) in account GF-ITD-COMMUNIC-DATA. (Contract No. 2022-1050)

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

Q. Approve and authorize the County Judge to sign the Service Order Agreement between the County of El Paso and Lumen Technologies Government Solutions, Inc. for the Session Initiation Protocol (SIP) Trunk from Lumen for the VoIP Telephony System to be located at the Downtown Annex. Funding is available in the total amount of \$201,181.32 in GF-ITD-COMMUNIC-DATA. (Contract No. 2023-0102)

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

R. Approve and authorize the County Judge to sign the Interlocal Agreement between El Paso County, Texas and the City of El Paso, Texas for Stormwater Improvements in the Greater El Paso Landfill Area, for the land lease in the Clint Landfill necessary to accommodate the Texas Water Development Board HAC7 stormwater project. (Contract No. 2022-0708)

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

S. Approve and authorize the County Judge to sign the Encroachment Agreement with the Magellan Pipeline Company, L.P. to allow the construction phase of the John Hayes Street Extension Project (CSJ# 0924-06-564) to move forward in the amount of \$98,550. Funds are available in CP-TN22-HAYES-PROF SVCS. (Contract No. 2023-0076) (Precinct 3)

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

T. Approve and authorize the County Judge to sign the Kinder Morgan Facility Encroachment, Adjustment & Reimbursement Agreement with Kinder Morgan Wink Pipeline LLC, to allow the construction phase of the John Hayes Street Extension Project (CSJ# 0924-06-564) to move forward in the amount of \$242,630. Funds are available in CP-TN22-HAYES-PROF SVCS. (Contract No. 2023-0077)

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

U. Approve and authorize the County Judge to sign the Pipeline Encroachment & Reimbursement Agreements with Holly Energy (HEP Fin-Tex) to allow the construction phase of the John Hayes Street Extension Project (CSJ# 0924-06-564) to move forward in the amount of \$49,670.86. Funds are available in CP-TN22-HAYES-PROF SVCS. Pending final legal review and approval from the County Attorney's Office. (Contract No. 2023-0078)

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

V. Approve and authorize the County Judge to sign the Interlocal Agreement Project Development Agreement for the Fabens Airport Monument Sign Project with the Camino Real Regional Mobility Authority (CRRMA) for design and design oversight of the Fabens Airport Entrance Monument in the amount of \$77,699.28. Funds are available in GF-RAMP-XFER OUT-GRANT MATCH. (Contract No. 2023-0140) (CC Precinct #3)

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

W. Approve and authorize the Camino Real Regional Mobility Authority (CRRMA) to enter into the perpetual easement agreement with the General Land Office (GLO) for the Right-of-Way (ROW) purchase needed for the John Hayes Project, pending final legal review and approval from the County Attorney's Office. (Contract No. 2023-0141)

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

X. Approve and accept the revision of Butterfield City Unit 1 subdivision to be named Butterfield City Unit 1 Replat A pursuant to requirements of the Texas Local Government Code §232.041 (Revision of Plat); further, authorize the filing and recording of the subdivision plat.

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

Y. Pursuant to Texas Local Government Code §232.023, approve and authorize the acceptance, filing and recording of the Clint Corner Subdivision plat.

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

Z. Approve and authorize the variance request from the El Paso County Subdivision Order for Homestead Meadows Replat C Subdivision.

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

AA. Approve and authorize the County Judge to sign the Release of Performance Bond Letter for improvements located in River View Estates subdivision (Instrument No. LICX1177014). Further, accept the maintenance bond No. 107469987.

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

AB. 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.

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

AC. Approve and authorize the County Judge to sign the Supplemental Contract between Owner and Contractor with Basic IDIQ Inc, for the construction of two multisport lined Futsal/Pickleball Courts at Ascarate Park identified as, Ascarate Park Futsal Courts BBC #581-19, in the amount of \$99,303. Funding is available in GF-ASCARATE-CAP OUT-PARK IMP and CIP22-PARKS&REC-ASCARATE-REN. (Contract No. 2023-0052)

Veronica Myers, Director, Parks and Recreation Department (915) 771-2370

AD. Approve and authorize the County Judge to sign the Concession Services Agreement for the County of El Paso Sportspark with Clasico Kitchen Bar, LLC to provide food and beverage services at the Sportspark for a 10-year term effective upon final signature of both parties with 2-five year options to renew, not to exceed twenty years. (Contract No. 2023-0086)

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

AE. Approve and authorize the County Judge to sign the Concession Services Agreement for the County of El Paso Ascarate Golf Course with Clasico Kitchen Bar, LLC to provide food and beverage services at the Ascarate Golf Course for a 10-year term effective upon final signature of both parties with 2-five year options to renew, not to exceed twenty years. (Contract No. 2023-0100)

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

AF. ITEM PULLED FOR DISCUSSION BY COMMISSIONER HOLGUIN - Approve and authorize the Purchasing Agent to reject all responses and close Bid 23-004 Mailing and Presorting Services for the County of El Paso and re-solicit.

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

AG. 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

AH. Approve and authorize the County Judge to sign the Quote and Terms and Conditions of Service with Whooster, Inc. (#1322895000126045031) for LE Daas-Web investigative software for five (5) users in the amount of \$6,800. Funding is available in SG-ONDCP2022-OPERATING EXP. (Contract No. 2023-0114)

Marco Spalloni, Manager, West Texas HIDTA-ISC (915) 444-0930

AI. GRANT AMENDMENT - Approve and authorize the County Judge to sign Amendment 1 to the Office of the Governor's Antiterrorism and Emergency Assistance Program (AEAP) grant agreement for the El Paso United Family Resiliency Center (FRC) to assist in community recovery efforts due to the August 3, 2019 mass shooting incident, which extends the contract term from September 30, 2023, to September 30, 2024, and increases funding for the final year in the amount of \$863,792.56. No County match is required. (Contract No. 2023-0151)

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

AJ. GRANT AMENDMENT - Approve and ratify the Economic Development Department's submission to the National Association of Counties (NACo) requesting a No Cost Extension from December 31, 2022, to February 15, 2023, for the County's Equitable Economic Recovery Cohort Grant funded by the Bill and Melinda Gates Foundation, through a sub-award from NACo.

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

AK. GRANT AMENDMENT - Approve and authorize the County Judge to sign Amendment 4 to the Texas Department of Transportation (TxDOT) FY2021 Federal 5311 Rural Areas Public Transportation Project Grant Agreement (PGA) to revise the project budget, pending legal review and approval. No County match is required. (Contract No. 2023-0155)

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

AL. GRANT AWARD - Approve and authorize the County Judge to accept the Bureau of Justice Assistance FY21 State Criminal Alien Assistance Program (SCAAP) grant award in the amount of \$61,809, on behalf of the El Paso County Sheriff's Office for the period of July 1, 2019, through April 30, 2023. No County match is required. (Contract No. 2023-0121)

Sheriff Richard D. Wiles, El Paso County Sheriff's Office (915) 546-2217

AM. GRANT MATCH - Approve and authorize the County Judge to sign the Local Match Contribution Agreement with the University of Texas - El Paso's Aerospace Center for the Build Back Better Regional Challenge Grant Award upon final review and approval from the County Attorney's Office. Funding in the amount of \$375,000 is available in GF-ECONIMPACT-INITIATIVE. (Contract No. 2023-0065)

Jose M. Landeros, Director of Strategic Development, County Administration Department (915) 546-215

MOTION: APPROVE

Motion by County Judge Samaniego Members Voting Aye: Judge Samaniego, Leon, Stout, Holguin, Coronado

Seconded by Commissioner Coronado

Members Voting Nay: None

5. RESOLUTIONS

A. Approve and adopt a resolution declaring the month of March 2023 as "Women's History Month" in El Paso County, Texas.

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

B. Approve and adopt a resolution declaring March as "Women's History Month," in El Paso County, Texas.

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

MOTION: APPROVE

Motion by Commissioner Leon

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

Seconded by Commissioner Holguin

Members Voting Nay: None

C. Approve and adopt a resolution declaring February 19 - 25, 2023, as "National Engineers Week" 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, Coronado
Members Voting Nay: None

6. PUBLIC COMMENT

NO ACTION

ITEMS PULLED FOR DISCUSSION FROM THE CONSENT AGENDA

4AF. ITEM PULLED FOR DISCUSSION BY COMMISSIONER HOLGUIN - Approve and authorize the Purchasing Agent to reject all responses and close Bid 23-004 Mailing and Presorting Services for the County of El Paso and re-solicit.

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

MOTION: APPROVE

Motion by Commissioner Holguin
Seconded by County Judge Samaniego

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

COMMISSIONERS COURT

11. CORRECTION PER OFFICE OF COMMISSIONER PCT. 2 - Discuss and take appropriate action to use revenue from local hotel occupancy taxes ("HOT funds"), pursuant to the Texas Tax Code, Chapters 351 and 352 for the purpose of establishing and supporting a West Texas Regional Office for Preservation Texas. (OP-23-1136)

David C. Stout, Commissioner, Pct. 2 (915) 546-2111 **AND ILIANA HOLGUIN, COMMISSIONER, PCT. 3**

MOTION: APPROVE THE USE OF REVENUE FROM LOCAL HOTEL OCCUPANCY TAXES ("HOT FUNDS"), PURSUANT TO THE TEXAS TAX CODE, CHAPTERS 351 AND 352 FOR THE PURPOSE OF ESTABLISHING AND SUPPORTING A WEST TEXAS REGIONAL OFFICE FOR PRESERVATION TEXAS, IN THE AMOUNT OF \$300,000 OVER A 3 YEAR TERM, PENDING THE APPROVAL OF A CONTRACT TO BE BROUGHT BACK TO THE COMMISSIONERS COURT.

Motion by Commissioner Stout
Seconded by Commissioner Holguin

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

7. PRESENTATION

A. Receive a presentation announcing the winner of the "Naming Your New Digital Library" contest, and take action to adopt the winning name as the official name for El Paso County's All-Digital Public Library.

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

MOTION: APPROVE AND ADOPT ILUMINA PUBLIC LIBRARY, THE WINNING NAME OF THE "NAMING YOUR NEW DIGITAL LIBRARY" CONTEST AS THE OFFICIAL NAME FOR EL PASO COUNTY'S ALL-DIGITAL PUBLIC LIBRARY.

Motion by Commissioner Stout
Seconded by Commissioner Holguin

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

REGULAR AGENDA

8. Discuss and take appropriate action regarding the audit for Emergency Service District 1 for the year ended September 30, 2022, and further discuss any related policies, procedures or financial matters.

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

MOTION: APPROVE THE PRESENTATION.

Motion by County Judge Samaniego
Seconded by Commissioner Holguin

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

9. Receive a presentation from the Far West Texas/El Paso Regional Transportation Coordination Committee (WTEP) regarding the approved Texas Department of Transportation (TxDOT) 2022-2026 Regional Plan for the following counties: El Paso, Hudspeth, Culberson, Presidio, J. Davis and Brewster. Sal Alonzo, Associate Director, Planning & Development Department (915) 546-2015

PRESENTATION RECEIVED

10. 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 ANY POTENTIAL FUNDING REQUEST FOR THE STATE HOSPITAL EXPANSION**
- **HB 657 – ALLOWS A COUNTY TO POST NOTICES ON THE INTERNET, INSTEAD OF NEWSPAPER, AFTER SATISFYING CERTAIN REQUIREMENTS**

- **FURTHER DIRECT COUNTY STAFF TO TRACK SB 943 WHICH PROVIDES THE RULES FOR INTERNET POSTING AND PLEDGE SUPPORT IF IT PROVIDES THE COUNTY ADDITIONAL OPTIONS FOR POSTING.**

Motion by County Judge Samaniego
Seconded by Commissioner Stout

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

COUNTY ADMINISTRATION

12. 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

13. Discuss and consider adoption of an Order Authorizing the Issuance, Sale, and Delivery of up to \$5,000,000 principal amount of El Paso County, Texas General Obligation Refunding Bond, Taxable Series 2023; Approving the form and authorizing the execution of all instruments and procedures related thereto including an escrow agreement, a paying agent/registrar agreement, and a purchase letter; and calling for redemption of a portion of the County's Outstanding General Obligation Refunding Bonds, Series 2015. (Contract No. 2023-0165)

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

MOTION: APPROVE AND ADOPT AN ORDER AUTHORIZING THE ISSUANCE, SALE, AND DELIVERY OF UP TO \$5,000,000 PRINCIPAL AMOUNT OF EL PASO COUNTY, TEXAS GENERAL OBLIGATION REFUNDING BOND, TAXABLE SERIES 2023; APPROVING THE FORM AND AUTHORIZING THE EXECUTION OF ALL INSTRUMENTS AND PROCEDURES RELATED THERETO INCLUDING AN ESCROW AGREEMENT, A PAYING AGENT/REGISTRAR AGREEMENT, AND A PURCHASE LETTER; AND CALLING FOR REDEMPTION OF A PORTION OF THE COUNTY'S OUTSTANDING GENERAL OBLIGATION REFUNDING BONDS, SERIES 2015. (CONTRACT NO. 2023-0165)

Motion by County Judge Samaniego
Seconded by Commissioner Holguin

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

12. 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

MEETING RECESSED AT 12:15 P.M.

MEETING RECONVENED AT 1:30 P.M.

AMERICAN RESCUE PLAN

14. Discuss and take appropriate action regarding implementation of the El Paso County American Rescue Plan Act Coronavirus State & Local Fiscal Recovery Funds Portfolio.

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

MOTION: DELETE

Motion by County Judge Samaniego
Seconded by Commissioner Holguin

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

15. (ARPA Project No. 1210) Approve and authorize the Sole Source Purchase of CheckUps App for the Criminal Justice Coordination Department (12302883) from CheckUps Corp. of San Antonio, TX in the amount of \$439,530. Funds are available in SG-ARPLAN21-OPERATING EX and GF-CRMJUSTCOORD-CS ELECTR MNTR. 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

MOTION: APPROVE

Motion by County Judge Samaniego
Seconded by Commissioner Leon

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

PURCHASING

16. Approve and authorize the County Judge to sign the Security Equipment and Software Maintenance Agreement with PyroCom Systems Inc. of El Paso, TX using Region 19 (21-7404) for the installation and maintenance of security hardware and equipment. Funding is available in CIP22-PURCHASING-INT02-RENOV. (Contract No. 2022-0520)

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

MOTION: APPROVE

Motion by Commissioner Leon
Seconded by County Judge Samaniego

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

17. Approve and authorize the Sole Source Purchase of Tyler Software Licenses, Hardware, and Services utilized by the Sheriff's Department (12302787 and 12302870) from Tyler Technologies of Plano, TX in the amount of \$219,651. Funds are available in SG-JAG2022-OPERATING EXP and CP-REPLACE23-SO MISC SEC-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.

Karen L. Davidson, 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, Coronado
Members Voting Nay: None

AUDITOR

18. 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 January 31, 2023. 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 Stout
Seconded by County Judge Samaniego

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

ITEMS RECONSIDERED FROM THE CONSENT AGENDA

4R. Approve and authorize the County Judge to sign the Interlocal Agreement between El Paso County, Texas and the City of El Paso, Texas for Stormwater Improvements in the Greater El Paso Landfill Area, for the land lease in the Clint Landfill necessary to accommodate the Texas Water Development Board HAC7 stormwater project. (Contract No. 2022-0708)

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

MOTION: RECONSIDER ITEM 4R FROM THE CONSENT AGENDA.

Motion by Commissioner Leon

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

Seconded by County Judge Samaniego

Members Voting Nay: None

MOTION: RESCIND THE PREVIOUS APPROVAL OF THIS ITEM #4R AS IS WRITTEN IN THE CONSENT AGENDA, AND INSTEAD APPROVE AND AUTHORIZE THE COUNTY JUDGE TO SIGN THE INTERLOCAL AGREEMENT BETWEEN EL PASO COUNTY, TEXAS AND THE CITY OF EL PASO, TEXAS FOR STORMWATER IMPROVEMENTS IN THE GREATER EL PASO LANDFILL AREA, FOR THE LAND LEASE IN THE CLINT LANDFILL NECESSARY TO ACCOMMODATE THE TEXAS WATER DEVELOPMENT BOARD HAC7 STORMWATER PROJECT FOR A TERM OF 30 YEARS. (CONTRACT NO. 2022-0708)

Motion by County Judge Samaniego

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

Seconded by Commissioner Holguin

Members Voting Nay: None

19C. Pursuant to Texas Government Code Section 551.0725, deliberate business and financial issues regarding negotiations of the El Paso County American Rescue Plan Act Notice of Funding Opportunity Subrecipient Agreement with Project Arriba. (Contract No. 2023-0090)

Ana Schumacher, Assistant County Attorney, County Attorney's Office (915) 546-2050

MOTION: (1.) COMMISSIONERS COURT VOTES UNANIMOUSLY THAT DELIBERATION IN AN OPEN MEETING WOULD HAVE A DETRIMENTAL EFFECT ON THE POSITION OF THE COMMISSIONERS COURT IN NEGOTIATIONS WITH A THIRD PARTY; (2.) THE ATTORNEY ADVISING THE COMMISSIONERS COURT ISSUES A WRITTEN DETERMINATION THAT DELIBERATION IN AN OPEN MEETING WOULD HAVE A DETRIMENTAL EFFECT ON THE POSITION OF THE COMMISSIONERS COURT IN NEGOTIATIONS WITH A THIRD PARTY; AND (3.) A RECORDING OF THE PROCEEDINGS IN CLOSED SESSION IS MADE REGARDING ITEM # 19C, TO DELIBERATE BUSINESS AND FINANCIAL ISSUES REGARDING NEGOTIATIONS OF THE EL PASO COUNTY AMERICAN RESCUE PLAN ACT NOTICE OF FUNDING OPPORTUNITY SUBRECIPIENT AGREEMENT WITH PROJECT ARRIBA. (CONTRACT NO. 2023-0090)

Motion by County Judge Samaniego

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

Seconded by Commissioner Holguin

Members Voting Nay: None

19. INTO EXECUTIVE SESSION AT 2:00 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 551.072, discuss the purchase of certain real property by the El Paso County Hospital District located on George Dieter Drive in East El Paso.

R. Jacob Cintron, President & CEO, University Medical Center/EPCHD (915) 521-7600

C. Pursuant to Texas Government Code Section 551.0725, deliberate business and financial issues regarding negotiations of the El Paso County American Rescue Plan Act Notice of Funding Opportunity Subrecipient Agreement with Project Arriba. (Contract No. 2023-0090)

Ana Schumacher, Assistant County Attorney, County Attorney's Office (915) 546-2050

D. Discuss legal rights and responsibilities regarding an Order Granting the County's Use of Discretionary Exemptions pursuant to Texas Local Government Code Section 262.024 for purchases required to address a public calamity related to the ongoing migrant crisis, pursuant to Texas Government Code Section 551.071.

Ana Schumacher, Assistant County Attorney, County Attorney's Office (915) 546-2050

E. Discuss pending litigation styled Teresa Vasquez v. El Paso County, Texas; Cause No. 2018DCV3867; County Attorney case number: 0231-18-LD, pursuant to Texas Government Code Section 551.071.
Dana Carmona, Assistant County Attorney, County Attorney's Office (915) 546-2050

F. Discuss the pending claim submitted by David Chasco; County Attorney's file number 0154-22-LC, pursuant to Texas Government Code Section 551.071.
Ian R. Kaplan, Assistant County Attorney, County Attorney's Office (915) 546-2050

G. Discuss financial information and economic development negotiations received regarding a Chapter 381 Agreement with Project Seafox, a private business prospect, pursuant to Texas Government Code section 551.087.
Jose M. Landeros, Director of Strategic Development, County Administration Department (915) 546-2159

REGULAR SESSION RECONVENED AT 3:54 P.M.

20. Approve and authorize the El Paso County Hospital District to purchase certain real property located on George Dieter Drive in East El Paso.
R. Jacob Cintron, President & CEO, University Medical Center/EPCHD (915) 521-7600

MOTION: PURSUANT TO TEXAS HEALTH AND SAFETY CODE SECTION 281.050(A), APPROVE AND AUTHORIZE THE EL PASO COUNTY HOSPITAL DISTRICT TO PURCHASE CERTAIN REAL ESTATE LOCATED ON GEORGE DIETER DRIVE AND TO RETURN TO THE COURT AT A LATER DATE FOR FINAL APPROVAL ON THE FINANCING OF SAID REAL ESTATE.

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

21. Discuss and take appropriate action regarding an Order Granting the County's Use of Discretionary Exemptions pursuant to Texas Local Government Code Section 262.024 for Purchases required to address a public calamity related to the ongoing migrant crisis. (1301-OP)
Irene G. Valenzuela, Executive Director, Community Services Department (915) 775-2708

MOTION: PURSUANT TO TEXAS LOCAL GOVERNMENT CODE SECTION 262.024, ADOPT THE FIRST AMENDED ORDER GRANTING THE COUNTY'S USE OF DISCRETIONARY EXEMPTIONS FOR PURCHASES RELATED TO THE MIGRANT CRISIS AS INCLUDED IN THE BACK-UP WITH THE FOLLOWING CHANGE TO THE 4TH ORDERED PARAGRAPH, WHICH WOULD READ: IT IS FURTHER ORDERED THAT THE COUNTY PURCHASING DEPARTMENT ASSIST COUNTY ADMINISTRATION AND COUNTY DEPARTMENTS PROCURE THE GOODS AND SERVICES NECESSARY TO ADDRESS THE MIGRANT CRISIS DURING THE PENDENCY OF THIS ORDER. THIS PROCESS OF THE USE OF PURCHASING ACT DISCRETIONARY EXEMPTIONS TO RESPOND TO A PUBLIC CALAMITY AND PRESERVE OR PROTECT PUBLIC HEALTH AND SAFETY IS ALLOWED UNDER STATE LAW, AS DESCRIBED ABOVE, AND IS INCLUDED IN THE POLICIES & PROCEDURES. THE CHIEF ADMINISTRATOR SHALL CONFIRM IN WRITING TO THE PURCHASING AGENT WHEN THE DISCRETIONARY ORDER SHALL APPLY TO A SPECIFIC PURCHASE. EXCEPT FOR WHEN USE OF A DISCRETIONARY EXEMPTION IS NECESSARY AS OUTLINED IN THIS ORDER, THE PURCHASING DEPARTMENT WILL ASSIST COUNTY ADMINISTRATION AND COUNTY DEPARTMENTS PROCURE THE GOODS AND SERVICES THAT ARE NECESSARY ACCORDING TO ESTABLISHED NON-EMERGENCY POLICIES & PROCEDURES.

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

22. Discuss and take action on the pending claim of David Chasco; County Attorney's file number 0154-22-LC.
Ian R. Kaplan, Assistant County Attorney, County Attorney's Office (915) 546-2050

MOTION: APPROVE THE PAYMENT OF MR. CHASCO'S CLAIM IN THE AMOUNT OF \$1,400 AND AUTHORIZE THE COUNTY JUDGE TO SIGN ANY AGREEMENTS TO EFFECTUATE THE CLAIM PAYMENT.

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

MEETING ADJOURNED AT 3:59 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
Website address: <http://www.epcounty.com>
View live video webcast: <http://epcounty.com/video>

**COMMISSIONERS COURT REGULAR MEETING MINUTES
MONDAY, FEBRUARY 27, 2023**

MEETING ADJOURNED AT 3:59 P.M.

ATTEST:

DELIA BRIONES, COUNTY CLERK
EL PASO COUNTY, TEXAS


JESSICA DOMINGUEZ, DEPUTY CLERK

EXAMINED AND APPROVED BY ME THIS

6th DAY OF March, 2023


COUNTY JUDGE RICARDO A. SAMANIEGO, PRESIDING

2023 FEB 24 AM 8:33

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 27, 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 13, 2023, and the special meetings of February 22, 2023, and February 23, 2023.

County Administration Department (915) 546-2215

- B. Approve and authorize the County Judge to execute Task Order Nos. 002-A (Office of Medical Examiner) and 002-B (Juvenile Justice Center Improvements) with Consor Engineers for the provision of Program Management & Administration & Design Support Services for each respective 2023 Tax Anticipation Note Project. Funding in the amount of \$740,897.79 will be available CP-TN23A-ENGINEER-CONSULT SVCS upon completion of the budget transfer establishing project accounts. (Contract Nos. 2023-0092 and 2023-0098)

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

- C. Approve and authorize the County Judge to sign the County of El Paso, Texas Contract Services Agreement for Consultant Services with Lyle Sumek, dba Sumek and Associates, for strategic planning consulting services in an amount not to exceed \$30,000, subject to final review and approval from the County Attorney's Office. Funding is available in GF-CNTYADMIN-CONTR SVC-GEN. (Contract No. 2023-0157)

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

- D. Approve the reappointment of County Judge Ricardo Samaniego's

nominee, Miguel Fernandez, to the El Paso County Hospital District Board of Trustees for a full three-year term beginning April 1, 2023, through March 31, 2026.

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

- E. Accept the quarterly report from the El Paso County Housing Authority.

Miguel Hernandez, Executive Director, El Paso County Housing Authority (915) 764-3559

- F. Rescind the Commissioners Court Order of January 23, 2023, Item No 4D on the Consent Agenda, to approve and authorize the County Judge to sign the Release of Lien in Bond Forfeiture case, Cause No. 2017-CBF01543.

Cristina Viesca-Santos, Assistant County Attorney, County Attorney's Office (915) 546-2050

- G. 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

- H. Approve and authorize the County Judge to sign the Red Flag Reporting Service Agreement and Addendum with RFR Resources, LLC (Redflagreporting.com) for anonymous fraud, waste and abuse hotline services for one-year term in the amount of \$6,800. Funding is available in GF-AUDITOR-RENT/LEASES-SOFTWARE. (Contract No. 2023-0117)

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

- I. Approve amendment No. 16 to the County of El Paso's 2022-2023 operating budget. This budgetary amendment will increase Capital Projects by \$41,345,000.00, increase Grants by \$1,461,178.32, thus increasing the overall budget of \$579,855,345.93 to \$622,661,524.25.

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

- J. Approve and authorize the County Judge to sign the Clinician-Officer Remote Evaluation ("Core") Program Memorandum of Understanding with El Paso MHMR, dba Emergence Health Network for the Office of the Constable, Pct. 1 to assist officers in the field with effectively responding to mental health crisis calls by securely connecting the officers with an EHN mental health professional using a HIPAA-approved technology platform, effective upon the last date of signature by either party. (Contract No. 2022-1069)

Oscar Ugarte, Constable, Pct. 1 (915) 246-7776

- K. Approve and authorize the County Judge to sign the First Amendment to Contract 2022-0938, the HOT Event Grant Award Services Agreement with the Texas State Historical Association to increase the amount of the grant by \$2,300, for a total grant award of \$22,300. Funding is available in SR-TOURPROM-HISTORICAL EVENTS. (Contract No. 2023-0130)

Jose M. Landeros, Director of Strategic Development, County Administration Department (915) 546-215

- L. Pursuant to Texas Local Government Code §381.004, retroactively approve and authorize the Economic Development Department's participation and financial support of the Borderplex Alliance in the amount of \$12,927.81, the Aerospace Center

in the amount of \$4,084.75, and the Camino Real Regional Mobility Authority in the amount of \$5,369.54, each for the purpose of targeting new businesses or expanding existing companies in El Paso County that might otherwise opt to locate in a different region or state. Funding in the amount of \$22,382.10 is available in GF-GADM-ECON IMPACT FUND.

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

- M. Approve and authorize the County Judge to sign the Master Services Agreement between El Paso County and Navigate Wellness, LLC for an online portal for the County's Wellness Program. Funds are available in the Aetna Wellness Allowance account. There is no direct cost to the County Budget. (Contract No. 2022-1036)

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

- N. Approve and authorize the Group Life Insurance Policy and Certificates with the Standard Insurance Company for Basic Life, Basic Dependent Life, and Accidental Death & Dismemberment (AD&D) Insurance for County of El Paso Employees. Funds are available in various departmental accounts INSURANCE-LIFE. (Contract No. 2023-0024)

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

- O. Approve and authorize the County Attorney's Office Senior Trial Attorney (A02) employee transfer at a step 7 based on additional qualifications relevant to the position. Funding is available through GF-CNTYATTY-SALARY-FT REGULAR.

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

- P. Approve and authorize the County Judge to sign the AT&T Dedicated Internet Services (ADI) Order Form between the El Paso County and Texas Department of Information and AT&T Corporation for the Countywide ADI (12300892) using DIR-TELE-CTSA-002. Funding is available in the total amount of \$60,300.72 (24-Month Fee) in account GF-ITD-COMMUNIC-DATA. (Contract No. 2022-1050)

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

- Q. Approve and authorize the County Judge to sign the Service Order Agreement between the County of El Paso and Lumen Technologies Government Solutions, Inc. for the Session Initiation Protocol (SIP) Trunk from Lumen for the VoIP Telephony System to be located at the Downtown Annex. Funding is available in the total amount of \$201,181.32 in GF-ITD-COMMUNIC-DATA. (Contract No. 2023-0102)

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

- R. Approve and authorize the County Judge to sign the Interlocal Agreement between El Paso County, Texas and the City of El Paso, Texas for Stormwater Improvements in the Greater El Paso Landfill Area, for the land lease in the Clint Landfill necessary to accommodate the Texas Water Development Board HAC7 stormwater project.

(Contract No. 2022-0708)

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

- S. Approve and authorize the County Judge to sign the Encroachment Agreement with the Magellan Pipeline Company, L.P. to allow the construction phase of the John Hayes Street Extension Project (CSJ# 0924-06-564) to move forward in the amount of \$98,550. Funds are available in CP-TN22-HAYES-PROF SVCS. (Contract No. 2023-0076) (Precinct 3)

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

- T. Approve and authorize the County Judge to sign the Kinder Morgan Facility Encroachment, Adjustment & Reimbursement Agreement with Kinder Morgan Wink Pipeline LLC, to allow the construction phase of the John Hayes Street Extension Project (CSJ# 0924-06-564) to move forward in the amount of \$242,630. Funds are available in CP-TN22-HAYES-PROF SVCS. (Contract No. 2023-0077)

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

- U. Approve and authorize the County Judge to sign the Pipeline Encroachment & Reimbursement Agreements with Holly Energy (HEP Fin-Tex) to allow the construction phase of the John Hayes Street Extension Project (CSJ# 0924-06-564) to move forward in the amount of \$49,670.86. Funds are available in CP-TN22-HAYES-PROF SVCS. Pending final legal review and approval from the County Attorney's Office. (Contract No. 2023-0078)

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

- V. Approve and authorize the County Judge to sign the Interlocal Agreement Project Development Agreement for the Fabens Airport Monument Sign Project with the Camino Real Regional Mobility Authority (CRRMA) for design and design oversight of the Fabens Airport Entrance Monument in the amount of \$77,699.28. Funds are available in GF-RAMP-XFER OUT-GRANT MATCH. (Contract No. 2023-0140) (CC Precinct #3)

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

- W. Approve and authorize the Camino Real Regional Mobility Authority (CRRMA) to enter into the perpetual easement agreement with the General Land Office (GLO) for the Right-of-Way (ROW) purchase needed for the John Hayes Project, pending final legal review and approval from the County Attorney's Office. (Contract No. 2023-0141)

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

- X. Approve and accept the revision of Butterfield City Unit 1 subdivision to be named Butterfield City Unit 1 Replat A pursuant to requirements of the Texas Local Government Code §232.041 (Revision of Plat); further, authorize the filing and recording of the subdivision plat.

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

- Y. Pursuant to Texas Local Government Code §232.023, approve and authorize the acceptance, filing and recording of the Clint Corner Subdivision plat.

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

- Z. Approve and authorize the variance request from the El Paso County

Subdivision Order for Homestead Meadows Replat C Subdivision.
Norma Rivera-Palacios, Executive Director, Public Works Department (915) 546-2015

AAApprove and authorize the County Judge to sign the Release of Performance Bond Letter for improvements located in River View Estates subdivision (Instrument No. LICX1177014). Further, accept the maintenance bond No. 107469987.

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

ABPursuant 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.

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

ACApprove and authorize the County Judge to sign the Supplemental Contract between Owner and Contractor with Basic IDIQ Inc, for the construction of two multisport lined Futsal/Pickleball Courts at Ascarate Park identified as, Ascarate Park Futsal Courts BBC #581-19, in the amount of \$99,303. Funding is available in GF-ASCARATE-CAP OUT-PARK IMP and CIP22-PARKS&REC-ASCARATE-REN. (Contract No. 2023-0052)

Veronica Myers, Director, Parks and Recreation Department (915) 771-2370

ADApprove and authorize the County Judge to sign the Concession Services Agreement for the County of El Paso Sportspark with Clasico Kitchen Bar, LLC to provide food and beverage services at the Sportspark for a 10-year term effective upon final signature of both parties with 2-five year options to renew, not to exceed twenty years. (Contract No. 2023-0086)

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

AEApprove and authorize the County Judge to sign the Concession Services Agreement for the County of El Paso Ascarate Golf Course with Clasico Kitchen Bar, LLC to provide food and beverage services at the Ascarate Golf Course for a 10-year term effective upon final signature of both parties with 2-five year options to renew, not to exceed twenty years. (Contract No. 2023-0100)

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

AFApprove and authorize the Purchasing Agent to reject all responses and close Bid 23-004 Mailing and Presorting Services for the County of El Paso and re-solicit.

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

AGApprove 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

AHApprove and authorize the County Judge to sign the Quote and Terms and Conditions of Service with Whooster, Inc. (#1322895000126045031) for LE Daas-Web investigative software for five (5) users in the amount of \$6,800. Funding is available in SG-ONDCP2022-OPERATING EXP. (Contract No. 2023-0114)

Marco Spalloni, Manager, West Texas HIDTA-ISC (915) 444-0930

AI.GRANT AMENDMENT - Approve and authorize the County Judge to sign Amendment 1 to the Office of the Governor's Antiterrorism and Emergency Assistance Program (AEAP) grant agreement for the El Paso United Family Resiliency Center (FRC) to assist in community recovery efforts due to the August 3, 2019 mass shooting incident, which extends the contract term from September 30, 2023, to September 30, 2024, and increases funding for the final year in the amount of \$863,792.56. No County match is required. (Contract No. 2023-0151)

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

AJ.GRANT AMENDMENT - Approve and ratify the Economic Development Department's submission to the National Association of Counties (NACo) requesting a No Cost Extension from December 31, 2022, to February 15, 2023, for the County's Equitable Economic Recovery Cohort Grant funded by the Bill and Melinda Gates Foundation, through a sub-award from NACo.

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

AKGRANT AMENDMENT - Approve and authorize the County Judge to sign Amendment 4 to the Texas Department of Transportation (TxDOT) FY2021 Federal 5311 Rural Areas Public Transportation Project Grant Agreement (PGA) to revise the project budget, pending legal review and approval. No County match is required. (Contract No. 2023-0155)

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

AL.GRANT AWARD - Approve and authorize the County Judge to accept the Bureau of Justice Assistance FY21 State Criminal Alien Assistance Program (SCAAP) grant award in the amount of \$61,809, on behalf of the El Paso County Sheriff's Office for the period of July 1, 2019, through April 30, 2023. No County match is required. (Contract No. 2023-0121)

Sheriff Richard D. Wiles, El Paso County Sheriff's Office (915) 546-2217

AMGRANT MATCH - Approve and authorize the County Judge to sign the Local Match Contribution Agreement with the University of Texas - El Paso's Aerospace Center for the Build Back Better Regional Challenge Grant Award upon final review and approval from the County Attorney's Office. Funding in the amount of \$375,000 is available in GF-ECONIMPACT-INITIATIVE. (Contract No. 2023-0065)

Jose M. Landeros, Director of Strategic Development, County Administration Department (915) 546-215

5. RESOLUTIONS

A. Approve and adopt a resolution declaring the month of March 2023 as "Women's History Month" in El Paso County, Texas.

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

B. Approve and adopt a resolution declaring March as "Women's History Month," in El Paso County, Texas.

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

- C. Approve and adopt a resolution declaring February 19 - 25, 2023, as "National Engineers Week" in El Paso County, Texas.

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

6. PUBLIC COMMENT

7. PRESENTATION

- A. Receive a presentation announcing the winner of the "Naming Your New Digital Library" contest, and take action to adopt the winning name as the official name for El Paso County's All-Digital Public Library.

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

REGULAR AGENDA

8. Discuss and take appropriate action regarding the audit for Emergency Service District 1 for the year ended September 30, 2022, and further discuss any related policies, procedures or financial matters.

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

9. Receive a presentation from the Far West Texas/El Paso Regional Transportation Coordination Committee (WTEP) regarding the approved Texas Department of Transportation (TxDOT) 2022-2026 Regional Plan for the following counties: El Paso, Hudspeth, Culberson, Presidio, J. Davis and Brewster.

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

10. 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

COMMISSIONERS COURT

11. Discuss and take appropriate action to use revenue from local hotel occupancy taxes ("HOT funds"), pursuant to the Texas Tax Code, Chapters 351 and 352 for the purpose of establishing and supporting a West Texas Regional Office for Preservation Texas. (OP-23-1136)

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

COUNTY ADMINISTRATION

12. 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

13. Discuss and consider adoption of an Order Authorizing the Issuance, Sale, and Delivery of up to \$5,000,000 principal amount of El Paso County, Texas General Obligation Refunding Bond, Taxable Series 2023; Approving the form and authorizing the execution of all instruments and procedures related thereto including an escrow agreement, a paying agent/registrar agreement, and a purchase letter;

and calling for redemption of a portion of the County's Outstanding General Obligation Refunding Bonds, Series 2015. (Contract No. 2023-0165)

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

AMERICAN RESCUE PLAN

14. Discuss and take appropriate action regarding implementation of the El Paso County American Rescue Plan Act Coronavirus State & Local Fiscal Recovery Funds Portfolio.

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

15. (ARPA Project No. 1210) Approve and authorize the Sole Source Purchase of CheckUps App for the Criminal Justice Coordination Department (12302883) from CheckUps Corp. of San Antonio, TX in the amount of \$439,530. Funds are available in SG-ARPLAN21-OPERATING EX and GF-CRMJUSTCOORD-CS ELECTR MNTR. 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

PURCHASING

16. Approve and authorize the County Judge to sign the Security Equipment and Software Maintenance Agreement with PyroCom Systems Inc. of El Paso, TX using Region 19 (21-7404) for the installation and maintenance of security hardware and equipment. Funding is available in CIP22-PURCHASING-INT02-RENOV. (Contract No. 2022-0520)

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

17. Approve and authorize the Sole Source Purchase of Tyler Software Licenses, Hardware, and Services utilized by the Sheriff's Department (12302787 and 12302870) from Tyler Technologies of Plano, TX in the amount of \$219,651. Funds are available in SG-JAG2022-OPERATING EXP and CP-REPLACE23-SO MISC SEC-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.

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

AUDITOR

18. 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 January 31, 2023. 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

19. 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. Pursuant to Texas Government Code Section 551.072, discuss the purchase of certain real property by the El Paso County Hospital District located on George Dieter Drive in East El Paso.

R. Jacob Cintron, President & CEO, University Medical Center/EPCHD (915) 521-7600

C. Pursuant to Texas Government Code Section 551.0725, deliberate business and financial issues regarding negotiations of the El Paso County American Rescue Plan Act Notice of Funding Opportunity Subrecipient Agreement with Project Arriba. (Contract No. 2023-0090)

Ana Schumacher, Assistant County Attorney, County Attorney's Office (915) 546-2050

D. Discuss legal rights and responsibilities regarding an Order Granting the County's Use of Discretionary Exemptions pursuant to Texas Local Government Code Section 262.024 for purchases required to address a public calamity related to the ongoing migrant crisis, pursuant to Texas Government Code Section 551.071.

Ana Schumacher, Assistant County Attorney, County Attorney's Office (915) 546-2050

E. Discuss pending litigation styled Teresa Vasquez v. El Paso County, Texas; Cause No. 2018DCV3867; County Attorney case number: 0231-18-LD, pursuant to Texas Government Code Section 551.071.

Dana Carmona, Assistant County Attorney, County Attorney's Office (915) 546-2050

F. Discuss the pending claim submitted by David Chasco; County Attorney's file number 0154-22-LC, pursuant to Texas Government Code Section 551.071.

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

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

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

REGULAR SESSION

20. Approve and authorize the El Paso County Hospital District to purchase certain real property located on George Dieter Drive in East El Paso.

R. Jacob Cintron, President & CEO, University Medical Center/EPCHD (915) 521-7600

21. Discuss and take appropriate action regarding an Order Granting the County's Use of Discretionary Exemptions pursuant to Texas Local Government Code Section 262.024 for Purchases required to address a public calamity related to the ongoing migrant crisis. (1301-OP)

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

22. Discuss and take action on the pending claim of David Chasco; County Attorney's file number 0154-22-LC.

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