

**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, MARCH 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	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 9:35 A.M.

2. PLEDGE OF ALLEGIANCE

Jonathan Orozco, 5th grader at New World Montessori, led the Commissioners Court in the Pledge of Allegiance and Texas Pledge.

3. INVOCATION

Receive an invocation from Phyllis Peterson, from Join Us for Justice, the El Paso Chapter of Americans United for Separation of Church and State.

4. CONSENT AGENDA

A. Approval of the Minutes of the regular meeting of March 6, 2023.
County Administration Department (915) 546-2215

B. Approve and authorize the County Judge to sign an Amendment to the County Attorney's office 36-month contract with Thomson Reuters for the Westlaw Edge online legal research services. Amendment is effective Monday, March 13, 2023 for a total amount of \$158,469.84. Funding is available in GF-CNTYATTY-BOOKS&SUBSCRIPT. (Contract No. 2023-0172)

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

C. 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

D. Approve amendment No.18 to the County of El Paso's 2022-2023 operating budget. This budgetary amendment will increase Grants by \$36,071.20, thus increasing the overall budget of \$622,661,524.25 to \$622,697,595.45.

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

E. Approve and authorize additional funding needed for the Underground Sewer Pipe Assessment project at the Juvenile Probation facility in the amount of \$6,020. Further, approve the re-allocation of funding in the amount of \$6,020 from CP-IMPROV01-MISCELLANEOUS to CIP23-JPD-RENOVATIONS.

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

F. **PULLED FOR DISCUSSION BY COMMISSIONER HOLGUIN** - Approve and authorize the ratification of the letter of appeal to the US Department of the Treasury signed by the County Judge for the Emergency Rental Assistance (ERA) Phase 2 Quarter 3 Assessment of Excess Funds Determination. (Contract No. 2023-0196)

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

G. Accept the Annual Report from the Criminal Justice Coordination Department.

Catherine Jones, Director, Criminal Justice Coordination Department (915) 546-2292

H. Approve and authorize the County Judge to sign the Agreement for the purchase of a Clear Proflex Subscription with West Publishing/Thomas Reuters for the Criminal Justice Coordination Department for a 3 year term in the amount of \$106,968.84. Funding is available in GF-CRMJUSTCOORD-CONTR SVC-GEN. (Contract No. 2023-0150)

Catherine Jones, Director, Criminal Justice Coordination Department (915) 546-2292

I. Approve and authorize the County Judge to sign the Office of the Attorney General Statewide Automated Victim Notification Services (SAVNS) Fiscal year 2023 Q2 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

J. Approve and authorize the County Judge to sign the Addendum to the Professional Services Agreement with Smart Mobility, Inc. for the IH-10 Segment 2 Data Evaluation Project in the amount of \$13,500. Funding is available in GF-EPCMP-PROF SVC-GEN. (Contract No. 2023-0202)

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

K. **PULLED FOR DISCUSSION BY PUBLIC WORKS DEPARTMENT** - Approve and accept the revision of Cottonwood Springs subdivision to be named Cottonwood Springs 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

L. 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

M. PULLED FOR DISCUSSION BY PUBLIC WORKS DEPARTMENT - Approve and authorize the County Judge to sign the Electric Vehicle Charging Station Host Agreements with El Paso Electric Company (EPE) to install, operate, and maintain electric vehicle charging infrastructure at Ascarate Park and the El Paso County Coliseum for a 10 year term beginning upon date of signature. (Contract Nos. 2022-0914 and 2023-0222)

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

N. Approve and authorize the Purchasing Agent to solicit proposals for Employment Medical and Physical Examinations for the El Paso County Sheriff's Office. 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

O. 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

P. Rescind a portion (Addendum) of the Commissioners Court Order of December 5, 2022, Item No 4AG on the Consent Agenda to approve and authorize the County Judge to sign the Quote and Addendum to Master Services Agreement with Motorola Solutions Inc. for the purchase of (1) Motorola APX8500 All band MP Mobile Radio, accessories and installation for the Sheriff's Office in the amount of \$8,335.58. Funds are available in SG-STGARSO21-CAP OUTLAYS. (Contract No. 2022-0963) Further, approve and authorize the revised Addendum to Master Services Agreement with Motorola Solutions Inc. for the purchase of (1) Motorola APX8500 All band MP Mobile Radio, accessories and installation for the Sheriff's Office in the amount of \$8,335.58. (Contract No. 2022-0963)

Sheriff Richard D. Wiles, El Paso County Sheriff's Office (915) 546-2262

Q. Approve and authorize the County Judge to sign the agreement with Tyler Software for ETicket Device License, Software and Hosting Maintenance Agreement to be used by the Sheriff's Department in the amount of \$219,651. Funding is available in SG-JAG2022-OPERATING EXP and CP-REPLACE23-SO MISC SEC-EQUIP. (Contract No. 2023-0190)

Sheriff Richard D. Wiles, El Paso County Sheriff's Office (915) 546-2262

R. NEW GRANT APPLICATION - Approve and authorize the ratification of the County Administration Department grant application submittal to the International City/County Management Association (ICMA) Economic Mobility and Opportunity (EMO) Cohort, in the amount of \$30,000, from April 15, 2023, to October 31, 2023. No County match is required. (Contract No. 2023-0195)

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

S. GRANT AMENDMENT - Approve and authorize the County Judge to sign the Texas Parks and Wildlife Recreation Grant Agreement Federal Sub-Award with the Texas Parks and Wildlife Department (TPWD) to extend the term to complete the All-abilities Playgrounds at Gallegos, Risinger and Ascarate Park, through September 30, 2023. (Contract No. 2023-0156)

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

T. GRANT AMENDMENT - Approve and authorize the County Judge to sign Amendment 1 to the Texas Department of Transportation (TxDOT) FY2023 State Rural Public Transportation Project Grant Agreement (PGA) to add FY2022 State Rural Public Transportation Project Grant Agreement (PGA) residual funds, as well as extend the grant time period to August 31, 2024. No County Match is required. (Precinct: 1-4) (Contract No. 2023-0186)

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

U. GRANT AMENDMENT - Approve and authorize the County Judge to sign the grant budget modification for the FY21 Operation Stonegarden program, on behalf of the Sheriff's Office, to increase the current award by \$11,071.20, for a new total grant award of \$1,526,184.12. (Contract No. 2023-0205)

Sheriff Richard D. Wiles, El Paso County Sheriff's Office (915) 546-2262

MOTION: APPROVE

Motion by County Judge Samaniego
Seconded by Commissioner Holguin

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

5. RESOLUTIONS

A. Approve and adopt a resolution declaring March 18, 2023, as "Public Defense Day" in El Paso County, Texas.

Sergio Coronado, Commissioner, Pct. 4 (915) 740-8366

MOTION: APPROVE

Motion by Commissioner Coronado
Seconded by County Judge Samaniego

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

6. PUBLIC COMMENT

NO ACTION

REGULAR AGENDA

7. Receive a presentation from the Office of Congresswoman Veronica Escobar (TX-16) regarding Community Project Funding for FY 24, appropriations, and constituent services.

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

PRESENTATION RECEIVED

ITEMS PULLED FOR DISCUSSION FROM THE CONSENT AGENDA

4K. **PULLED FOR DISCUSSION BY PUBLIC WORKS DEPARTMENT** - Approve and accept the revision of Cottonwood Springs subdivision to be named Cottonwood Springs 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

4M. **PULLED FOR DISCUSSION BY PUBLIC WORKS DEPARTMENT** - Approve and authorize the County Judge to sign the Electric Vehicle Charging Station Host Agreements with El Paso Electric Company (EPE) to install, operate, and maintain electric vehicle charging infrastructure at Ascarate Park and the El Paso County Coliseum for a 10 year term beginning upon date of signature. (Contract Nos. 2022-0914 and 2023-0222)

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

MOTION: APPROVE ITEM # 4M.

Motion by Commissioner Stout
Seconded by County Judge Samaniego

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

4F. **PULLED FOR DISCUSSION BY COMMISSIONER HOLGUIN** - Approve and authorize the ratification of the letter of appeal to the US Department of the Treasury signed by the County Judge for the Emergency Rental Assistance (ERA) Phase 2 Quarter 3 Assessment of Excess Funds Determination. (Contract No. 2023-0196)

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

MOTION: APPROVE

Motion by Commissioner Holguin
Seconded by County Judge Samaniego

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

ITEMS RECONSIDERED FROM THE CONSENT AGENDA

4P. Rescind a portion (Addendum) of the Commissioners Court Order of December 5, 2022, Item No 4AG on the Consent Agenda to approve and authorize the County Judge to sign the Quote and Addendum to Master Services Agreement with Motorola Solutions Inc. for the purchase of (1) Motorola APX8500 All band MP Mobile Radio, accessories and installation for the Sheriff's Office in the amount of \$8,335.58. Funds are available in SG-STGARSO21-CAP OUTLAYS. (Contract No. 2022-0963) Further, approve and authorize the revised Addendum to Master Services Agreement with Motorola Solutions Inc. for the purchase of (1) Motorola APX8500 All band MP Mobile Radio, accessories and installation for the Sheriff's Office in the amount of \$8,335.58. (Contract No. 2022-0963)

Sheriff Richard D. Wiles, El Paso County Sheriff's Office (915) 546-2262

MOTION: RECONSIDER ITEM # 4P FROM THE CONSENT AGENDA.

Motion by County Judge Samaniego

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

Seconded by Commissioner Holguin

Members Absent: Stout

Members Voting Nay: None

MOTION: RESCIND TODAY'S APPROVAL OF MARCH 13, 2023, ITEM NO. 4P ON THE CONSENT AGENDA AND INSTEAD ESCIND A PORTION (ADDENDUM) OF THE COMMISSIONERS COURT ORDER OF DECEMBER 5, 2022, ITEM NO 4AG ON THE CONSENT AGENDA TO APPROVE AND AUTHORIZE THE COUNTY JUDGE TO SIGN THE QUOTE AND ADDENDUM TO MASTER SERVICES AGREEMENT WITH MOTOROLA SOLUTIONS INC. FOR THE PURCHASE OF (1) MOTOROLA APX8500 ALL BAND MP MOBILE RADIO, ACCESSORIES AND INSTALLATION FOR THE SHERIFF'S OFFICE IN THE AMOUNT OF \$8,335.58. FUNDS ARE AVAILABLE IN SG-STGARSO21-CAP OUTLAYS. (CONTRACT NO. 2022-0963) FURTHER, APPROVE AND AUTHORIZE THE REVISED ADDENDUM TO MASTER SERVICES AGREEMENT WITH MOTOROLA SOLUTIONS INC. FOR THE PURCHASE OF (1) MOTOROLA APX8500 ALL BAND MP MOBILE RADIO, ACCESSORIES AND INSTALLATION FOR THE SHERIFF'S OFFICE IN THE AMOUNT OF \$8,447.58. (CONTRACT NO. 2022-0963)

Motion by County Judge Samaniego

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

Seconded by Commissioner Leon

Members Voting Nay: None

MEETING RECESSED AT 11:31 A.M.

MEETING RECONVENED AT 11:54 A.M.

COMMISSIONERS COURT

10. Discuss and take appropriate action regarding entering into negotiations and a potential interlocal agreement with the Lower Valley Water District for the long-term use of 10 acres of green space and two multi-use facilities at a historic mural site in Fabens.

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

MOTION: APPROVE AND AUTHORIZE THE PARKS AND RECREATION DEPARTMENT ALONG WITH THE COUNTY ATTORNEY'S OFFICE TO ENTER INTO NEGOTIATIONS AND A POTENTIAL INTERLOCAL AGREEMENT WITH THE LOWER VALLEY WATER DISTRICT FOR THE LONG-TERM USE OF 10 ACRES OF GREEN SPACE AND TWO MULTI-USE FACILITIES AT A HISTORIC MURAL SITE IN FABENS.

Motion by Commissioner Holguin

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

Seconded by County Judge Samaniego

Members Absent: Stout

Members Voting Nay: None

MEETING RECESSED AT 12:10 P.M.

MEETING RECONVENED AT 1:17 P.M.

REGULAR AGENDA

8. **CORRECTION PER COUNTY ADMINISTRATION DEPARTMENT** - Discuss and take appropriate **ACTION** regarding the County's submissions to the Federal Fiscal Year 2024 Community Project Funding requests for Texas Congressional Districts 16 and 23.

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

MOTION: APPROVE AND AUTHORIZE STAFF TO MOVE FORWARD WITH THE PROJECTS IDENTIFIED IN THE BACKUP THAT HAVE AT LEAST MET ONE OF THEIR THREE CRITERIA, A THEN PROVIDE A REPORT BACK TO THE COURT ON ANY ADJUSTMENTS THAT WERE MADE IN CASE THE PROJECT WAS DETERMINED TO NOT BE ELIGIBLE. FURTHER, AUTHORIZE THE COUNTY JUDGE TO SIGN ANY LETTER OF SUPPORT FOR COMMUNITY PROJECT FUNDING REQUESTS FROM EXTERNAL AGENCIES THAT ARE CONSISTENT WITH THE COUNTY'S STRATEGIC PLAN AND ORGANIZATIONAL GOALS AND VALUES, AND PROVIDE A REPORT TO THE COURT FOR ALL OF THE LETTERS OF SUPPORT REQUESTED.

Motion by Commissioner Holguin
Seconded by Commissioner Stout

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

ECONOMIC DEVELOPMENT

12. Discuss and take appropriate action regarding the use of County Hotel Occupancy Tax marketing funds in the amount of \$11,000, to promote El Paso, in cooperation with Visit El Paso, as a premier destination during the three-week Feria de San Marcos from April 15-May 7, 2023, in Aguascalientes, MX. Funding is available in SR-TOURPROM-ADVERTISING. (1355-OP)

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

MOTION: APPROVE

Motion by Commissioner Leon
Seconded by County Judge Samaniego

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

9. 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: SUPPORT THE FOLLOWING LEGISLATIVE BILLS:

- **HB 1396 BY REP MOODY – RELATING TO THE PROVISION OF COUNSELING SERVICES BY CERTAIN PROVIDERS UNDER MEDICAID AND REIMBURSEMENT FOR THOSE SERVICES.**
- **HB 1397 BY REP MOODY – DIRECTS HHSC TO PROVIDE MEDICAID REIMBURSEMENT FOR PEER-TO-PEER SERVICES BY COMMUNITY RECOVERY ORGANIZATIONS. IT ALSO DIRECTS THE ESTABLISHMENT OF A WORKGROUP TO PROVIDE INPUT ON PROPOSED RULES.**
- **HB 1378 BY REP ORTEGA – REQUIRES HHSC TO PREPARE AND SUBMIT A WRITTEN REPORT REGARDING REIMBURSEMENT RATES AND ACCESS TO CARE IN THE MEDICAID PROGRAM.**

Motion by County Judge Samaniego
Seconded by Commissioner Stout

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

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

- **SUPPORT LEGISLATION THAT ADDRESSES MATERNAL MORTALITY ISSUES AND EXPANDS WOMEN'S HEALTHCARE ACCESS ACROSS OUR STATE.**

Motion by Commissioner Stout
Seconded by Commissioner Holguin

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

MOTION: SUPPORT THE FOLLOWING LEGISLATIVE BILLS RELATED TO WOMEN'S HEALTHCARE:

- HB 12 BY ROSE, HB 56 BY ORTEGA, HB 487 BY THOMPSON – ALL OF THESE BILLS SEEKS TO EXTEND MEDICAID COVERAGE POST-PARTUM TO 12 MONTHS.
- HB 472 BY THIERRY – IT WOULD ESTABLISH THE OFFICE OF HEALTH EQUITY (OHE) WITHIN HHSC TO DEVELOP AND IMPLEMENT INITIATIVES THAT REDUCE HEALTH DISPARITIES.
- HB 465 BY THIERRY – PROPOSES THE ESTABLISHMENT OF A STATEWIDE MEDICAL ASSISTANCE PILOT PROGRAM FOR DOULA SERVICES BY FALL 2024.
- HB 460 BY THIERRY – IT WOULD CREATE AN ADDITIONAL COMMUNITY ADVOCATE POSITION ON THE TEXAS MATERNAL MORTALITY REVIEW COMMITTEE (TMMRC), WHICH REVIEWS THE STATE'S MATERNAL MORTALITY DATA AND PRESENTS A BIENNIAL REPORT AND POLICY RECOMMENDATIONS TO LAWMAKERS WITH DSHS.

Motion by Commissioner Stout

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

Seconded by County Judge Samaniego

Members Voting Nay: None

MOTION: SUPPORT THE FOLLOWING LEGISLATIVE BILLS RELATED TO COUNTY OPERATIONS:

- HB 1613 BY REP. PAUL – RELATING TO THE PROVISION OF STATE AID TO CERTAIN LOCAL GOVERNMENTS TO OFFSET THE COST OF THE EXEMPTION FROM AD VALOREM TAXATION OF THE RESIDENCE HOMESTEAD OF A 100 PERCENT OR TOTALLY DISABLED VETERAN.
- HB 2763 BY REP. GUILLEN– THIS BILL SEEKS TO ALLOW RURAL TRANSIT DISTRICTS TO BE EXEMPT FROM SALES TAX FOR FUEL FOR THEIR BUSES AND VEHICLES.

Motion by Commissioner Stout

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

Seconded by Commissioner Holguin

Members Voting Nay: None

COUNTY ADMINISTRATION

11. 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

PUBLIC WORKS

13. Approve and authorize the modification to the El Paso County Parks and Special Events Facilities Use License Agreement with Mitchell Amusement, LLC, reducing the facility rental fee from \$84,204 to \$57,204, to present the Big El Paso Fair to be held at Ascarate Park from March 31 through April 16, 2023. (Contract No. 2023-0099)

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

MOTION: APPROVE

Motion by Commissioner Leon

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

Seconded by County Judge Samaniego

Members Voting Nay: None

ITEMS PULLED FOR DISCUSSION FROM THE CONSENT AGENDA

4K. **PULLED FOR DISCUSSION BY PUBLIC WORKS DEPARTMENT** - Approve and accept the revision of Cottonwood Springs subdivision to be named Cottonwood Springs 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

MOTION: MOVE THE DISCUSSION OF ITEM #4K INTO EXECUTIVE SESSION PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.071.

Motion by County Judge Samaniego

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

Seconded by Commissioner Leon

Members Voting Nay: None

14. INTO EXECUTIVE SESSION AT 2:04 P.M.

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

B. Pursuant to Texas Government Code Section 551.071, discuss and receive legal advice concerning the proposed City Charter amendments in connection with City Ordinance No. 019437, regarding climate policy.
Erica Rosales Nigagliani, Assistant County Attorney, County Attorney's Office (915) 546-2050

C. Discuss the pending Federal RICO litigation, cause number 3:09-CV-00119-KC; County Attorney's file number PL-08-001, pursuant to Texas Government Code Section 551.071.
JoAnne Bernal, County Attorney, County Attorney's Office (915) 546-2050

D. Discuss the pending litigation regarding Krystal Mijares and Melissa Alvarado v. County of El Paso, cause number: EP-12-CV-00325-FM; County Attorney number LD-12-053, pursuant to Texas Government Code Section 551.071.
Michael Gomez, Assistant County Attorney, County Attorney's Office (915) 546-2050

E. Discuss litigation styled Christopher Ochoa v. El Paso County, Texas, et al; Cause No. 2022-DCV-2463; County Attorney case number 0107-22-LD, pursuant to Texas Government Code Section 551.071.
Michael Gomez, Assistant County Attorney, County Attorney's Office (915) 546-2050

F. 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

ADDENDUM TO THE AGENDA

17. EXECUTIVE SESSION - Pursuant to Texas Government Code Section 551.071, discuss potential litigation regarding redistricting boundary dispute for the Socorro Independent School District.
Ana Schumacher, Assistant County Attorney, County Attorney's Office (915) 546-2050
Posted Friday, March 10, 2023, at 9:00 A.M.

4K. **PULLED FOR DISCUSSION BY PUBLIC WORKS DEPARTMENT** - Approve and accept the revision of Cottonwood Springs subdivision to be named Cottonwood Springs 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, **PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.071.**
Norma Rivera-Palacios, Executive Director, Public Works Department (915) 546-2015

REGULAR SESSION RECONVENED AT 3:28 P.M.

15. Discuss and take action on the pending Federal RICO litigation, cause number 3:09-CV-00119-KC; County Attorney's file number PL-08-001.
JoAnne Bernal, County Attorney, County Attorney's Office (915) 546-2050

NO ACTION

16. Discuss and take appropriate action regarding litigation styled Christopher Ochoa v. El Paso County, Texas, et al; Cause No. 2022-DCV-2463; County Attorney case number 0107-22-LD.
Michael Gomez, Assistant County Attorney, County Attorney's Office (915) 546-2050

NO ACTION

ITEMS PULLED FOR DISCUSSION FROM THE CONSENT AGENDA

4K. PULLED FOR DISCUSSION BY PUBLIC WORKS DEPARTMENT - Approve and accept the revision of Cottonwood Springs subdivision to be named Cottonwood Springs 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

MOTION: APPROVE

Motion by Commissioner Leon

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

Seconded by County Judge Samaniego

Members Voting Nay: None

MEETING ADJOURNED AT 3:32 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>
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**COMMISSIONERS COURT REGULAR MEETING MINUTES
MONDAY, MARCH 13, 2023**

MEETING ADJOURNED AT 3:32 P.M.

ATTEST:

DELIA BRIONES, COUNTY CLERK
EL PASO COUNTY, TEXAS



JESSICA DOMINGUEZ, DEPUTY CLERK
CESAR O. NAVA, DEPUTY CLERK

EXAMINED AND APPROVED BY ME THIS

20th DAY OF March, 2023



COUNTY JUDGE RICARDO A. SAMANIEGO, PRESIDING

2023 MAR 09 PM 4:43

DELIA BRIONES
COUNTY CLERK
EL PASO COUNTY, TEXAS

EL PASO COUNTY COMMISSIONERS COURT

CARLOS LEON
Commissioner, Pct.1



DAVID STOUT
Commissioner, Pct.2

ILIANA HOLGUIN
Commissioner, Pct.3

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, March 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 March 6, 2023.

County Administration Department (915) 546-2215

B. Approve and authorize the County Judge to sign an Amendment to the County Attorney's office 36-month contract with Thomson Reuters for the Westlaw Edge online legal research services. Amendment is effective Monday, March 13, 2023 for a total amount of \$158,469.84. Funding is available in GF-CNTYATTY- BOOKS&SUBSCRIPT. (Contract No. 2023-0172)

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

C. 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

D. Approve amendment No.18 to the County of El Paso's 2022-2023 operating budget. This budgetary amendment will increase Grants by \$36,071.20, thus increasing the overall budget of \$622,661,524.25 to \$622,697,595.45.

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

E. Approve and authorize additional funding needed for the Underground Sewer Pipe Assessment project at the Juvenile Probation facility in the

amount of \$6,020. Further, approve the re-allocation of funding in the amount of \$6,020 from CP-IMPROV01-MISCELLANEOUS to CIP23-JPD-RENOVATIONS.

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

- F. Approve and authorize the ratification of the letter of appeal to the US Department of the Treasury signed by the County Judge for the Emergency Rental Assistance (ERA) Phase 2 Quarter 3 Assessment of Excess Funds Determination. (Contract No. 2023-0196)

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

- G. Accept the Annual Report from the Criminal Justice Coordination Department.

Catherine Jones, Director, Criminal Justice Coordination Department (915) 546-2292

- H. Approve and authorize the County Judge to sign the Agreement for the purchase of a Clear Proflex Subscription with West Publishing/Thomas Reuters for the Criminal Justice Coordination Department for a 3 year term in the amount of \$106,968.84. Funding is available in GF-CRMJUSTCOORD-CONTR SVC-GEN. (Contract No. 2023-0150)

Catherine Jones, Director, Criminal Justice Coordination Department (915) 546-2292

- I. Approve and authorize the County Judge to sign the Office of the Attorney General Statewide Automated Victim Notification Services (SAVNS) Fiscal year 2023 Q2 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

- J. Approve and authorize the County Judge to sign the Addendum to the Professional Services Agreement with Smart Mobility, Inc. for the IH-10 Segment 2 Data Evaluation Project in the amount of \$13,500. Funding is available in GF-EPCMP-PROF SVC-GEN. (Contract No. 2023-0202)

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

- K. Approve and accept the revision of Cottonwood Springs subdivision to be named Cottonwood Springs 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

- L. 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

- M. Approve and authorize the County Judge to sign the Electric Vehicle Charging Station Host Agreements with El Paso Electric Company (EPE) to install, operate, and maintain electric vehicle charging infrastructure at Ascarate Park and the El Paso County Coliseum for a 10 year term beginning upon date of signature. (Contract Nos. 2022-0914 and 2023-0222)

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

- N. Approve and authorize the Purchasing Agent to solicit proposals for Employment Medical and Physical Examinations for the El Paso County Sheriff's Office. 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

- O. 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

- P. Rescind a portion (Addendum) of the Commissioners Court Order of December 5, 2022, Item No 4AG on the Consent Agenda to approve and authorize the County Judge to sign the Quote and Addendum to Master Services Agreement with Motorola Solutions Inc. for the purchase of (1) Motorola APX8500 All band MP Mobile Radio, accessories and installation for the Sheriff's Office in the amount of \$8,335.58. Funds are available in SG-STGARSO21-CAP OUTLAYS. (Contract No. 2022-0963) Further, approve and authorize the revised Addendum to Master Services Agreement with Motorola Solutions Inc. for the purchase of (1) Motorola APX8500 All band MP Mobile Radio, accessories and installation for the Sheriff's Office in the amount of \$8,335.58. (Contract No. 2022-0963)

Sheriff Richard D. Wiles, El Paso County Sheriff's Office (915) 546-2262

- Q. Approve and authorize the County Judge to sign the agreement with Tyler Software for ETicket Device License, Software and Hosting Maintenance Agreement to be used by the Sheriff's Department in the amount of \$219,651. Funding is available in SG-JAG2022-OPERATING EXP and CP-REPLACE23-SO MISC SEC-EQUIP. (Contract No. 2023-0190)

Sheriff Richard D. Wiles, El Paso County Sheriff's Office (915) 546-2262

- R. NEW GRANT APPLICATION - Approve and authorize the ratification of the County Administration Department grant application submittal to the International City/County Management Association (ICMA) Economic Mobility and Opportunity (EMO) Cohort, in the amount of \$30,000, from April 15, 2023, to October 31, 2023. No County match is required. (Contract No. 2023-0195)

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

- S. GRANT AMENDMENT - Approve and authorize the County Judge to sign the Texas Parks and Wildlife Recreation Grant Agreement Federal Sub-Award with the Texas Parks and Wildlife Department (TPWD) to extend the term to complete the All-abilities Playgrounds at Gallegos, Risinger and Ascarate Park, through September 30, 2023. (Contract No. 2023-0156)

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

- T. GRANT AMENDMENT - Approve and authorize the County Judge to sign Amendment 1 to the Texas Department of Transportation (TxDOT)

FY2023 State Rural Public Transportation Project Grant Agreement (PGA) to add FY2022 State Rural Public Transportation Project Grant Agreement (PGA) residual funds, as well as extend the grant time period to August 31, 2024. No County Match is required. (Precinct: 1-4) (Contract No. 2023-0186)

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

- U. GRANT AMENDMENT - Approve and authorize the County Judge to sign the grant budget modification for the FY21 Operation Stonegarden program, on behalf of the Sheriff's Office, to increase the current award by \$11,071.20, for a new total grant award of \$1,526,184.12. (Contract No. 2023-0205)

Sheriff Richard D. Wiles, El Paso County Sheriff's Office (915) 546-2262

5. RESOLUTIONS

- A. Approve and adopt a resolution declaring March 18, 2023, as "Public Defense Day" in El Paso County, Texas.

Sergio Coronado, Commissioner, Pct. 4 (915) 740-8366

6. PUBLIC COMMENT

REGULAR AGENDA

- 7. Receive a presentation from the Office of Congresswoman Veronica Escobar (TX-16) regarding Community Project Funding for FY 24, appropriations, and constituent services.

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

- 8. Discuss and take appropriate action regarding the County's submissions to the Federal Fiscal Year 2024 Community Project Funding requests for Texas Congressional Districts 16 and 23.

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

- 9. 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

- 10. Discuss and take appropriate action regarding entering into negotiations and a potential interlocal agreement with the Lower Valley Water District for the long-term use of 10 acres of green space and two multi-use facilities at a historic mural site in Fabens.

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

COUNTY ADMINISTRATION

- 11. 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

ECONOMIC DEVELOPMENT

12. Discuss and take appropriate action regarding the use of County Hotel Occupancy Tax marketing funds in the amount of \$11,000, to promote El Paso, in cooperation with Visit El Paso, as a premier destination during the three-week Feria de San Marcos from April 15-May 7, 2023, in Aguascalientes, MX. Funding is available in SR-TOURPROM-ADVERTISING. (1355-OP)

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

PUBLIC WORKS

13. Approve and authorize the modification to the El Paso County Parks and Special Events Facilities Use License Agreement with Mitchell Amusement, LLC, reducing the facility rental fee from \$84,204 to \$57,204, to present the Big El Paso Fair to be held at Ascarate Park from March 31 through April 16, 2023. (Contract No. 2023-0099)

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

14. 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 551.071, discuss and receive legal advice concerning the proposed City Charter amendments in connection with City Ordinance No. 019437, regarding climate policy.

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

- C. Discuss the pending Federal RICO litigation, cause number 3:09-CV-00119-KC; County Attorney's file number PL-08-001, pursuant to Texas Government Code Section 551.071.

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

- D. Discuss the pending litigation regarding Krystal Mijares and Melissa Alvarado v. County of El Paso, cause number: EP-12-CV-00325-FM; County Attorney number LD-12-053, pursuant to Texas Government Code Section 551.071.

Michael Gomez, Assistant County Attorney, County Attorney's Office (915) 546-2050

- E. Discuss litigation styled Christopher Ochoa v. El Paso County, Texas, et al; Cause No. 2022-DCV-2463; County Attorney case number 0107-22-LD, pursuant to Texas Government Code Section 551.071.

Michael Gomez, Assistant County Attorney, County Attorney's Office (915) 546-2050

- F. 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

15. Discuss and take action on the pending Federal RICO litigation, cause number 3:09-CV-00119-KC; County Attorney's file number PL-08-001.

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

16. Discuss and take appropriate action regarding litigation styled Christopher Ochoa v. El Paso County, Texas, et al; Cause No. 2022-DCV-2463; County Attorney case number 0107-22-LD.

Michael Gomez, Assistant County Attorney, County Attorney's Office (915) 546-2050

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DELIA BRIONES
COUNTY CLERK
EL PASO COUNTY, TEXAS

- F. 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

15. Discuss and take action on the pending Federal RICO litigation, cause number 3:09-CV-00119-KC; County Attorney's file number PL-08-001.

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

16. Discuss and take appropriate action regarding litigation styled Christopher Ochoa v. El Paso County, Texas, et al; Cause No. 2022-DCV-2463; County Attorney case number 0107-22-LD.

Michael Gomez, Assistant County Attorney, County Attorney's Office (915) 546-2050

ADDENDUM TO THE AGENDA

17. EXECUTIVE SESSION - Pursuant to Texas Government Code Section 551.071, discuss potential litigation regarding redistricting boundary dispute for the Socorro Independent School District.

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

Posted Friday, March 10, 2023, at 9:00 A.M.