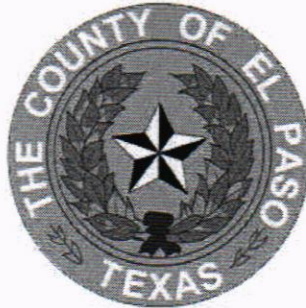


**EL PASO COUNTY
COMMISSIONERS COURT**

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, JULY 31, 2023**

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

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

1. MEETING CONVENED

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

2. PLEDGE OF ALLEGIANCE

3. INVOCATION

Receive an invocation from David Marcus, representing 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 July 24, 2023.
County Administration Department (915) 546-2215

B. Rescind the Commissioners Court Order of July 10, 2023; Item #4D on the Consent Agenda: (ARP Project No. 1371) Approve and authorize the County Judge to sign the El Paso County American Rescue Plan Act Notice of Funding Opportunity Second Amendment to the Subrecipient Agreement between the County of El Paso and the Candlelighters of El Paso beginning July 10, 2023. Funds are available in SG-ARPLAN21-OPERATING EX. (Contract No. 2023-0490) Further, authorize the County Judge to sign the corrected El Paso County American Rescue Plan Act Notice of Funding Opportunity Second Amendment to the Subrecipient Agreement between the County of El Paso and the Candlelighters of El Paso. (Contract No. 2023-0490)

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

C. Accept the quarterly report from the County Administration Department.
Betsy C. Keller, CM, Chief Administrator, County Administration Department (915) 546-2215

D. Accept the annual board report from the Veteran's Advisory Board.
Betsy C. Keller, CM, Chief Administrator, County Administration Department (915) 546-2215

E. Approve and authorize the County Judge to sign the 65th Family District Court- Family Drug Court Memorandum of Understanding and Agreement with the following providers: Homeward Bound, Inc. -Trinity Center- El Paso (2023-0436); Aliviane Inc. (2023-0437); the Housing Authority of the City of El Paso (HACEP) (2023-0438); and Child and Protective Services (CPS) (2023-0439) to coordinate services between the partnering agencies to provide information and make appropriate referrals to and from the 65th Family Drug Court for a one-year term beginning July 1 2024. There is no fiscal impact to the County Budget.
Belinda Acuna, Specialty Court Coordinator, 65th Family Drug Court (915) 834-8216 ext.2

F. Pursuant to Texas Local Government Code Section 81.032, authorize the 65th Family Drug Court to accept monetary and in-kind donations during fiscal years 2023 and 2024 to fund special events that benefit drug court program participants and their families. (#1701-OP)
Belinda Acuna, Specialty Court Coordinator, 65th Family Drug Court (915) 834-8216 ext.2

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 Release of Lien for property located at 4000 De Vargas, used as collateral for bonds written by Mr. Gary Orozco d/b/a Pueblo Bail Bonds. (OP-1283)
Mike Navarro, Administrator, El Paso County Bail Bond Board (915) 546 2297

I. Approve amendment No. 35 to the County of El Paso's 2022-2023 operating budget. This budgetary amendment will increase Grants by \$74,537.06, thus increasing the overall budget of \$729,357,866.58 to \$729,432,403.64.
Jessica C. Garza, Interim Director, Budget and Fiscal Policy Department (915) 546-2262

J. Approve and authorize the County Judge to sign the Funding Agreement with Crime Stoppers for FY23 in the amount of \$10,000, to combat crime by increasing the flow of information to and between law enforcement agencies in order to improve the safety and quality of life for citizens of the community. Funding is available in GF-GADM-CONTR SVC-GEN. (Contract No. 2023-0579)
Jessica C. Garza, Interim Director, Budget and Fiscal Policy Department (915) 546-2262

K. Approve and authorize the County Judge to sign the First Amendment to the Justice-Involved Shelter Support Services Agreement between the County of El Paso and the Rescue Mission of El Paso to clarify the scope of services to be provided and formalize the department change from Community Services Department – Re-Entry Division to the County of El Paso – Criminal Justice Coordination Department Reentry Unit, beginning July 24, 2023. There is no fiscal impact. (Contract No. 2023-0565)
Catherine Jones, Director, Criminal Justice Coordination Department (915) 546-2292

L. Approve and authorize the County Judge to sign the Second and Final Option to Renew the Master Services Agreement between the El Paso County Juvenile Probation Department and Alcohol Monitoring Systems, Inc., DBA Scram Systems of Littleton, Co. for the provision of electronic monitoring services in the amount of \$135,000. This Agreement will be effective August 1, 2023, through July 31, 2024. Funding is available in account GF-JPD-CONTR SVC-GEN and SR-JPDSUP-CONTR SVC-GEN. (Contract No. 2023-0517)

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

M. Approve and authorize the County Judge to sign the Texas Department of Licensing and Regulation (TDLR) Designated Agent Form, to register the Skateparks at Agua Dulce, Estrella, and Gallegos Park with the TDLR, as a grant requirement of the Texas Parks and Wildlife Department. (Contract No. 2023-0529) (Pct. 1, Pct. 3, and Pct. 4)

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

N. Approve and authorize the County Judge to sign the First Amendment to the Interlocal Agreement Project Development Agreement for the Alamo Alto Segment PDN-Trail Project, Phase 1 (Fabens) (CSJ. No. 0924-06-669) with the Camino Real Regional Mobility Authority (CRRMA), in the amount of \$41,498.46. Additional work is required to allow the CRRMA to make design adjustments to the project alignment as per the recent denial from the El Paso County Independent Water District #1 to allow the use of the Right-of-Way (ROW) Funding is available in SG-GALAMOTR23-CAP OUTLAYS and CP-TN22PDNTRAIL-PROF SVCS. (Contract No. 2023-0552) (Precinct 3)

Michael McElroy, Director, Planning and Development Department (915) 546-2015

O. Approve and authorize the County Judge to sign the First Amendment to the Interlocal Agreement Project Development Agreement for the Fabens Airport T-Hangars Project Design & Oversight with the Camino Real Regional Mobility Authority (CRRMA). The amendment is to allow the County to reimburse the CRRMA administrative costs associated with the design phase of the project with the fees paid to the CRRMA. There is no fiscal impact. (Contract No. 2023-0553)

Michael McElroy, Director, Planning and Development Department (915) 546-2015

P. Approve and authorize the County Judge to sign the First Exercise of Option to Renew the Intergovernmental Agreement with the State of New Mexico, acting through the New Mexico Department of Transportation (NMDOT), to provide bus service between El Paso and Las Cruces, for the term beginning September 1, 2023, through August 31, 2024. (Contract No. 2023-0555)

Michael McElroy, Director, Planning & Development Department (915) 546-2015

Q. Approve and authorize the County Judge to sign the Release of Subdivision Performance Bond Letter for improvements located in the DAA Farms Unit 2 subdivision. (Certificate No. CNB-40922-00)

Michael McElroy, Director, Planning & Development Department (915) 546-2015

R. Approve and authorize the County Judge to sign the Release of Performance bond Letter for improvements located in Emerald Heights Unit Four subdivision (Instrument No. LICX1177020). Further, accept the maintenance bond No. SUR0006796.

Michael McElroy, Director, Planning & Development Department (915) 546-2015

S. 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.

Michael McElroy, Director, Planning & Development Department (915) 546-2015

T. Approve and authorize the County Judge to sign the Third Amendment to the ATM Placement Service Agreement with Cardtronics USA, Inc. to clarify and provide the County of El Paso County with an updated list of ATM locations under the current contract. There is no fiscal impact. (Contract No. 2023-0455)

Robin Sully, Facilities Director, Public Works Department (915) 546-2009

U. Approve and authorize the County Judge to sign the first renewal option of Contract No. 2022-0826 for Procurement Card Services for the County of El Paso with Citibank, N.A. (Citi) of Sioux Falls, SD. Funding is available through various County department accounts. (Contract No. 2023-0534)

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

V. Authorize the Sole Source award for the purchase of a Library Maintenance Agreement from Thomson Reuters / West Publishing of St. Paul, MN for the County of El Paso Law Library and Domestic Relations Departments for (5) five years in the amount of \$496,308. Funds are available in SR-LAWLIB-BOOK&SUBSCRIPT. Pursuant to Texas Local Government Code Section 262.024 (c), as a sole source item, it is exempt from the provisions of the County Purchasing Act.

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

W. Approve the Purchase of Forty-One (41) Panasonic Toughbooks for the Technology Modernization Program for the Public Safety Division (12306620) using Sourcewell Contract 090122 awarded to Panasonic Connect of North America, Division of Panasonic Corporation of North America of Newark, NJ, with Baycom, Inc. of Greenbay, WI as the authorized dealer, distributor, or reseller relative to the equipment, products, or services offered under Sourcewell Contract 090122, for a grand total \$178,760.00. Funding available in CIP23-ITD-EQ NONCAP.

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

X. Approve the purchase of Webex Contact Center for the Information Technology Help Desk and the County Tax Office using DIR-TSO-4167 awarded to Cisco Systems, Inc. of San Jose, CA with Pivot Technology Services Corp dba Computacenter of Norcross, GA as the authorized distributor, dealer, or reseller relative to the equipment, products, or services offered under DIR-TSO-4167, for a grand total of \$144,626.90. Funding is available in GF-ITD-MAINT/REP-SOFTWARE.

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

Y. Approve the Purchase and Installation of Risinger Park Sidewalks for the County of El Paso (12307125) using Buy Board Job Order Contract (JOC) 581-19 awarded to Basic IDIQ, Inc. of Austin, Texas for a grand total \$58,164.44. Purchasing approved July 5, 2023. Funding available in GF-COUNTYPARKS-PARK IMPROV.

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

Z. Approve the purchase of As-Needed Correctional and Detention Facility Equipment and Supplies using BuyBoard Contract 669-22 awarded to Bob Barker Company, Inc. of Fuquay Varina, NC; Charm-Tex of Brooklyn, NY; ICS Jail Supplies, Inc. of Waco, TX and Victory Supply LLC of Mount Pleasant, TN with discounts as indicated in tabulation. Funding is available through various County accounts on an as-needed basis.

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

AA. Approve the purchase for As-Needed Installation, Replacement, Removal, Repair and Maintenance of Equipment and Accessories for County Vehicles using Allied States Cooperative (ESC Region 19) 22-7434 awarded to Sun City Communications, LLC of El Paso, Texas. Pricing as indicated in contract. Funding is available through various County accounts on an as-needed basis.

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

AB. PULLED FOR DISCUSSION BY COMMISSIONER HOLGUIN - Approve and authorize the Purchasing Agent to reject all responses and close out solicitation RFP 23-015 Congregate and Home Delivered Meals for the City-County Nutrition Program; with permission to resolicit at the discretion of the Community Service Department.

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

AC. Approve and authorize the Purchasing Department to hold an online auction using Public Surplus between September 1, 2023, and September 30, 2023.

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

AD. 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

AE. Approve and authorize County Judge to sign the Incinerator Use Interlocal Governmental Agreement with the Socorro Independent School District for the destruction of confiscated narcotics from July 31, 2023 through July 31, 2024 and will automatically renew for additional one-year periods unless terminated by any party. (Contract No. 2023-0580)

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

AF. GRANT APPLICATION - Approve and authorize the ratification of the updates to the Commissioners Court Order of July 10, 2023, Item No. 4Y on the Consent agenda, updating the Application Worksheet for the FEMA Shelter Services Program Grant Application to support regional humanitarian response efforts for the months of January 1, 2024, through February 28, 2024, in the amount of \$2,447,252. No County match is required. (Contract No. 2023-0531)

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

AG. GRANT AMENDMENT - Approve and authorize the County Judge to sign Amendment 1 to the Texas Department of Transportation (TxDOT) FY2023 Intercity-Bus (ICB) Project Grant Agreement (PGA) to extend the grant time period to March 31, 2024. No County match is required. (Contract No. 2023-0570)

Michael McElroy, Director, Planning & Development Department (915) 546-2015

AH. GRANT EXTENSION - Approve and authorize the County Judge to sign the extension letter requested by the Texas Division of Emergency Management (TDEM) to extend the completion date of the FEMA Public Assistance, Category B, Project PW #408 to July 1, 2022, and include expenses incurred. The reimbursement request will increase the project cost by \$3,360.43, totaling \$4,266,720.96. (Contract No. 2023-0573)

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

MOTION: APPROVE

Motion by County Judge Samaniego
Seconded by Commissioner Holguin

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

5. RESOLUTIONS

A. Approve and adopt a resolution declaring August 2023 "Sunshine Month," in El Paso County, Texas.
David Stout, Commissioner, Pct. 2 (915) 546-2111

MOTION: APPROVE

Motion by Commissioner Stout
Seconded by County Judge Samaniego

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

B. Approve and adopt a resolution recognizing August as Breastfeeding Awareness Month.
Iliana Holguin, Commissioner, Pct. 3 (915) 546-2144

MOTION: APPROVE

Motion by Commissioner Holguin
Seconded by County Judge Samaniego

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

C. Approve and adopt a resolution declaring August 7, 2023, as "National Purple Heart Appreciation Day", in El Paso County, Texas.
Sergio Coronado, Commissioner, Pct. 4 (915) 546-2044

MOTION: APPROVE

Motion by Commissioner Coronado
Seconded by County Judge Samaniego

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

6. PUBLIC COMMENT

Elizabeth Crawford, concerned citizen, read scripture to the members of the Commissioners Court and spoke against abortion, sex and drug trafficking, and the LGBTQ agenda.

Pedro Sera, concerned citizen, expressed concerns to the Commissioners Court that he has with the Emergence Health Network and asked the Court for assistance in dealing with them.

ITEMS PULLED FOR DISCUSSION FROM THE CONSENT AGENDA

4AB. PULLED FOR DISCUSSION BY COMMISSIONER HOLGUIN - Approve and authorize the Purchasing Agent to reject all responses and close out solicitation RFP 23-015 Congregate and Home Delivered Meals for the City-County Nutrition Program; with permission to resolicit at the discretion of the Community Service Department.

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, Stout, Holguin, Coronado
Members Voting Nay: None

PURCHASING

7. Approve the purchase for Shields for the County of El Paso Sheriff's Office (12308631) using Omnia 4400008468 awarded to Safeware Inc. of Westminster, CO in the amount of \$1,152,659.68. Purchasing approved on July 20, 2023. Funding is available in SG-GBSHIELD23-CAP OUTLAYS.

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

MOTION: APPROVE

Motion by County Judge Samaniego
Seconded by Commissioner Stout

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

PUBLIC WORKS

8. Approve and authorize the County Judge to sign the Agreement for the Donation of Property with Pellicano Commerce Land, LLC to expand an existing County retention pond to accept the runoff from the Panattoni Industrial Park and for the dedication of a linear park and usable land to the County. Additionally, authorize the County Judge to sign the Right-of-Entry agreement that is included in the donation agreement, pending final legal review and approval from the County Attorney's Office. (Contract No. 2023-0568)

Michael McElroy, Director, Planning & Development Department (915) 546-2015

MOTION: POSTPONE ONE WEEK.

Motion by County Judge Samaniego
Seconded by Commissioner Holguin

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

9. INTO EXECUTIVE SESSION AT 10:33 A.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 legal rights and responsibilities regarding a vacancy in the Office of the Constable Precinct 1. (#2054-OP)

Christina Sanchez, Assistant County Attorney, County Attorney's Office (915) 273-3238

C. Pursuant to Texas Government Code Section 551.071, discuss legal rights and responsibilities regarding the County's response to the lifting of Title 42.

Ana Schumacher, Assistant 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 0055-16-LD, pursuant to Texas Government Code Section 551.071.

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

E. Discuss litigation styled Michael Flores v. County of El Paso, Texas; Cause No. 2019DCV2227; County Attorney case number 0199-19-LD, pursuant to Texas Government Code Section 551.071.

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

F. Discuss pending litigation styled Carmella Sanchez v. El Paso County, et al.; Cause No. 2020DCV4087; County Attorney case number: 0030-21-LD, 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 Bulldozer, a private business prospect, pursuant to Texas Government Code section 551.087.

Roberto Ransom, Director, Economic Development Department (915) 546-2177

ADDENDUM TO THE AGENDA

12. EXECUTIVE SESSION: Pursuant to Texas Government Code Section 551.071 and 551.074, receive legal advice and consultation regarding a personnel matter involving the El Paso County Medical Examiner.

Patsy Lopez, Assistant County Attorney, County Attorney's Office (915) 273-3238

Posted Friday, July 28, 2023, at 9:00 A.M.

REGULAR SESSION RECONVENED AT 11:29 A.M.

10. Discuss and take appropriate action regarding the County's ongoing response to the lifting of Title 42.

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

NO ACTION

11. Discuss and take appropriate action regarding litigation styled Carmella Sanchez v. El Paso County, et al.; Cause No. 2020DCV4087; County Attorney case number: 0030-21-LD.

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

MOTION: APPROVE AND AUTHORIZE THE SETTLEMENT AGREEMENT AS DISCUSSED UNDER THE TERMS IN EXECUTIVE SESSION AND AUTHORIZE THE COUNTY JUDGE TO SIGN THE SETTLEMENT AGREEMENT.

Motion by County Judge Samaniego
Seconded by Commissioner Coronado

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

MEETING ADJOURNED AT 11:32 A.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, JULY 31, 2023**

MEETING ADJOURNED AT 11:32 A.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

7th DAY OF August, 2023



COUNTY JUDGE RICARDO A. SAMANIEGO, PRESIDING

2023 JULY 27 PM 3:40

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, July 31, 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 July 24, 2023.

County Administration Department (915) 546-2215

- B. Rescind the Commissioners Court Order of July 10, 2023; Item #4D on the Consent Agenda: (ARP Project No. 1371) Approve and authorize the County Judge to sign the El Paso County American Rescue Plan Act Notice of Funding Opportunity Second Amendment to the Subrecipient Agreement between the County of El Paso and the Candlelighters of El Paso beginning July 10, 2023. Funds are available in SG-ARPLAN21-OPERATING EX. (Contract No. 2023-0490) Further, authorize the County Judge to sign the corrected El Paso County American Rescue Plan Act Notice of Funding Opportunity Second Amendment to the Subrecipient Agreement between the County of El Paso and the Candlelighters of El Paso. (Contract No. 2023-0490)

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

- C. Accept the quarterly report from the County Administration Department.

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

- D. Accept the annual board report from the Veteran's Advisory Board.

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

- E. Approve and authorize the County Judge to sign the 65th Family District

Court- Family Drug Court Memorandum of Understanding and Agreement with the following providers: Homeward Bound, Inc. -Trinity Center- El Paso (2023-0436); Aliviane Inc. (2023-0437); the Housing Authority of the City of El Paso (HACEP) (2023-0438); and Child and Protective Services (CPS) (2023-0439) to coordinate services between the partnering agencies to provide information and make appropriate referrals to and from the 65th Family Drug Court for a one-year term beginning July 1 2024. There is no fiscal impact to the County Budget.

Belinda Acuna, Specialty Court Coordinator, 65th Family Drug Court (915) 834-8216 ext.2

- F. Pursuant to Texas Local Government Code Section 81.032, authorize the 65th Family Drug Court to accept monetary and in-kind donations during fiscal years 2023 and 2024 to fund special events that benefit drug court program participants and their families. (#1701-OP)

Belinda Acuna, Specialty Court Coordinator, 65th Family Drug Court (915) 834-8216 ext.2

- 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 Release of Lien for property located at 4000 De Vargas, used as collateral for bonds written by Mr. Gary Orozco d/b/a Pueblo Bail Bonds. (OP-1283)

Mike Navarro, Administrator, El Paso County Bail Bond Board (915) 546 2297

- I. Approve amendment No. 35 to the County of El Paso's 2022-2023 operating budget. This budgetary amendment will increase Grants by \$74,537.06, thus increasing the overall budget of \$729,357,866.58 to \$729,432,403.64.

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

- J. Approve and authorize the County Judge to sign the Funding Agreement with Crime Stoppers for FY23 in the amount of \$10,000, to combat crime by increasing the flow of information to and between law enforcement agencies in order to improve the safety and quality of life for citizens of the community. Funding is available in GF-GADM-CONTR SVC-GEN. (Contract No. 2023-0579)

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

- K. Approve and authorize the County Judge to sign the First Amendment to the Justice-Involved Shelter Support Services Agreement between the County of El Paso and the Rescue Mission of El Paso to clarify the scope of services to be provided and formalize the department change from Community Services Department – Re-Entry Division to the County of El Paso – Criminal Justice Coordination Department Reentry Unit, beginning July 24, 2023. There is no fiscal impact. (Contract No. 2023-0565)

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

- L. Approve and authorize the County Judge to sign the Second and Final Option to Renew the Master Services Agreement between the El Paso County Juvenile Probation Department and Alcohol Monitoring Systems, Inc., DBA Scram Systems of Littleton, Co. for the provision

of electronic monitoring services in the amount of \$135,000. This Agreement will be effective August 1, 2023, through July 31, 2024. Funding is available in account GF-JPD-CONTR SVC-GEN and SR-JPDSUP-CONTR SVC-GEN. (Contract No. 2023-0517)

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

- M. Approve and authorize the County Judge to sign the Texas Department of Licensing and Regulation (TDLR) Designated Agent Form, to register the Skateparks at Agua Dulce, Estrella, and Gallegos Park with the TDLR, as a grant requirement of the Texas Parks and Wildlife Department. (Contract No. 2023-0529) (Pct. 1, Pct. 3, and Pct. 4)

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

- N. Approve and authorize the County Judge to sign the First Amendment to the Interlocal Agreement Project Development Agreement for the Alamo Alto Segment PDN-Trail Project, Phase 1 (Fabens) (CSJ. No. 0924-06-669) with the Camino Real Regional Mobility Authority (CRRMA), in the amount of \$41,498.46. Additional work is required to allow the CRRMA to make design adjustments to the project alignment as per the recent denial from the El Paso County Independent Water District #1 to allow the use of the Right-of-Way (ROW) Funding is available in SG-GALAMOTR23-CAP OUTLAYS and CP-TN22PDNTRAIL-PROF SVCS. (Contract No. 2023-0552) (Precinct 3)

Michael McElroy, Director, Planning and Development Department (915) 546-2015

- O. Approve and authorize the County Judge to sign the First Amendment to the Interlocal Agreement Project Development Agreement for the Fabens Airport T-Hangars Project Design & Oversight with the Camino Real Regional Mobility Authority (CRRMA). The amendment is to allow the County to reimburse the CRRMA administrative costs associated with the design phase of the project with the fees paid to the CRRMA. There is no fiscal impact. (Contract No. 2023-0553)

Michael McElroy, Director, Planning and Development Department (915) 546-2015

- P. Approve and authorize the County Judge to sign the First Exercise of Option to Renew the Intergovernmental Agreement with the State of New Mexico, acting through the New Mexico Department of Transportation (NMDOT), to provide bus service between El Paso and Las Cruces, for the term beginning September 1, 2023, through August 31, 2024. (Contract No. 2023-0555)

Michael McElroy, Director, Planning & Development Department (915) 546-2015

- Q. Approve and authorize the County Judge to sign the Release of Subdivision Performance Bond Letter for improvements located in the DAA Farms Unit 2 subdivision. (Certificate No. CNB-40922-00)

Michael McElroy, Director, Planning & Development Department (915) 546-2015

- R. Approve and authorize the County Judge to sign the Release of Performance bond Letter for improvements located in Emerald Heights Unit Four subdivision (Instrument No. LICX1177020). Further, accept the maintenance bond No. SUR0006796.

Michael McElroy, Director, Planning & Development Department (915) 546-2015

- S. 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.

Michael McElroy, Director, Planning & Development Department (915) 546-2015

- T. Approve and authorize the County Judge to sign the Third Amendment to the ATM Placement Service Agreement with Cardtronics USA, Inc. to clarify and provide the County of El Paso County with an updated list of ATM locations under the current contract. There is no fiscal impact. (Contract No. 2023-0455)

Robin Sully, Facilities Director, Public Works Department (915) 546-2009

- U. Approve and authorize the County Judge to sign the first renewal option of Contract No. 2022-0826 for Procurement Card Services for the County of El Paso with Citibank, N.A. (Citi) of Sioux Falls, SD. Funding is available through various County department accounts. (Contract No. 2023-0534)

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

- V. Authorize the Sole Source award for the purchase of a Library Maintenance Agreement from Thomson Reuters / West Publishing of St. Paul, MN for the County of El Paso Law Library and Domestic Relations Departments for (5) five years in the amount of \$496,308. Funds are available in SR-LAWLIB-BOOK&SUBSCRIPT. Pursuant to Texas Local Government Code Section 262.024 (c), as a sole source item, it is exempt from the provisions of the County Purchasing Act.

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

- W. Approve the Purchase of Forty-One (41) Panasonic Toughbooks for the Technology Modernization Program for the Public Safety Division (12306620) using Sourcewell Contract 090122 awarded to Panasonic Connect of North America, Division of Panasonic Corporation of North America of Newark, NJ, with Baycom, Inc. of Greenbay, WI as the authorized dealer, distributor, or reseller relative to the equipment, products, or services offered under Sourcewell Contract 090122, for a grand total \$178,760.00. Funding available in CIP23-ITD-EQ NONCAP.

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

- X. Approve the purchase of Webex Contact Center for the Information Technology Help Desk and the County Tax Office using DIR-TSO-4167 awarded to Cisco Systems, Inc. of San Jose, CA with Pivot Technology Services Corp dba Computacenter of Norcross, GA as the authorized distributor, dealer, or reseller relative to the equipment, products, or services offered under DIR-TSO-4167, for a grand total of \$144,626.90. Funding is available in GF-ITD-MAINT/REP-SOFTWARE.

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

- Y. Approve the Purchase and Installation of Risinger Park Sidewalks for the County of El Paso (12307125) using Buy Board Job Order Contract (JOC) 581-19 awarded to Basic IDIQ, Inc. of Austin, Texas for a grand total \$58,164.44. Purchasing approved July 5, 2023. Funding available in GF-COUNTYPARKS-PARK IMPROV.

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

- Z. Approve the purchase of As-Needed Correctional and Detention Facility Equipment and Supplies using BuyBoard Contract 669-22 awarded to Bob Barker Company, Inc. of Fuquay Varina, NC; Charm-Tex of Brooklyn, NY; ICS Jail Supplies, Inc. of Waco, TX and Victory Supply LLC of Mount Pleasant, TN with discounts as indicated in tabulation. Funding is available through various County accounts on an as-needed basis.

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

- AA Approve the purchase for As-Needed Installation, Replacement, Removal, Repair and Maintenance of Equipment and Accessories for County Vehicles using Allied States Cooperative (ESC Region 19) 22-7434 awarded to Sun City Communications, LLC of El Paso, Texas. Pricing as indicated in contract. Funding is available through various County accounts on an as-needed basis.

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

- AB Approve and authorize the Purchasing Agent to reject all responses and close out solicitation RFP 23-015 Congregate and Home Delivered Meals for the City-County Nutrition Program; with permission to resolicit at the discretion of the Community Service Department.

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

- AC Approve and authorize the Purchasing Department to hold an online auction using Public Surplus between September 1, 2023, and September 30, 2023.

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

- AD 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

- AE Approve and authorize County Judge to sign the Incinerator Use Interlocal Governmental Agreement with the Socorro Independent School District for the destruction of confiscated narcotics from July 31, 2023 through July 31, 2024 and will automatically renew for additional one-year periods unless terminated by any party. (Contract No. 2023-0580)

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

- AF. GRANT APPLICATION - Approve and authorize the ratification of the updates to the Commissioners Court Order of July 10, 2023, Item No. 4Y on the Consent agenda, updating the Application Worksheet for the FEMA Shelter Services Program Grant Application to support regional humanitarian response efforts for the months of January 1, 2024, through February 28, 2024, in the amount of \$2,447,252. No County match is required. (Contract No. 2023-0531)

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

- AG GRANT AMENDMENT - Approve and authorize the County Judge to sign Amendment 1 to the Texas Department of Transportation (TxDOT) FY2023 Intercity-Bus (ICB) Project Grant Agreement (PGA) to extend

the grant time period to March 31, 2024. No County match is required.

(Contract No. 2023-0570)

Michael McElroy, Director, Planning & Development Department (915) 546-2015

AHGRANT EXTENSION – Approve and authorize the County Judge to sign the extension letter requested by the Texas Division of Emergency Management (TDEM) to extend the completion date of the FEMA Public Assistance, Category B, Project PW #408 to July 1, 2022, and include expenses incurred. The reimbursement request will increase the project cost by \$3,360.43, totaling \$4,266,720.96. (Contract No. 2023-0573)

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

5. RESOLUTIONS

A. Approve and adopt a resolution declaring August 2023 "Sunshine Month," in El Paso County, Texas.

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

B. Approve and adopt a resolution recognizing August as Breastfeeding Awareness Month.

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

C. Approve and adopt a resolution declaring August 7, 2023, as "National Purple Heart Appreciation Day", in El Paso County, Texas.

Sergio Coronado, Commissioner, Pct. 4 (915) 546-2044

6. PUBLIC COMMENT

PURCHASING

7. Approve the purchase for Shields for the County of El Paso Sheriff's Office (12308631) using Omnia 4400008468 awarded to Safeware Inc. of Westminster, CO in the amount of \$1,152,659.68. Purchasing approved on July 20, 2023. Funding is available in SG-GBSHIELD23-CAP OUTLAYS.

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

PUBLIC WORKS

8. (Postponed 7/24/23) Approve and authorize the County Judge to sign the Agreement for the Donation of Property with Pellicano Commerce Land, LLC to expand an existing County retention pond to accept the runoff from the Panattoni Industrial Park and for the dedication of a linear park and usable land to the County. Additionally, authorize the County Judge to sign the Right-of-Entry agreement that is included in the donation agreement, pending final legal review and approval from the County Attorney's Office. (Contract No. 2023-0568)

Michael McElroy, Director, Planning & Development Department (915) 546-2015

9. 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 legal rights and responsibilities regarding a vacancy in the Office of the Constable Precinct 1. (#2054-OP)

Christina Sanchez, Assistant County Attorney, County Attorney's Office (915) 273-3238

C. Pursuant to Texas Government Code Section 551.071, discuss legal rights and responsibilities regarding the County's response to the lifting of Title 42.

Ana Schumacher, Assistant 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 0055-16-LD, pursuant to Texas Government Code Section 551.071.

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

E. Discuss litigation styled Michael Flores v. County of El Paso, Texas; Cause No. 2019DCV2227; County Attorney case number 0199-19-LD, pursuant to Texas Government Code Section 551.071.

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

F. Discuss pending litigation styled Carmella Sanchez v. El Paso County, et al.; Cause No. 2020DCV4087; County Attorney case number: 0030-21-LD, 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 Bulldozer, a private business prospect, pursuant to Texas Government Code section 551.087.

Roberto Ransom, Director, Economic Development Department (915) 546-2177

REGULAR SESSION

10. Discuss and take appropriate action regarding the County's ongoing response to the lifting of Title 42.

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

11. Discuss and take appropriate action regarding litigation styled Carmella Sanchez v. El Paso County, et al.; Cause No. 2020DCV4087; County Attorney case number: 0030-21-LD.

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

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 legal rights and responsibilities regarding a vacancy in the Office of the Constable Precinct 1. (#2054-OP)

Christina Sanchez, Assistant County Attorney, County Attorney's Office (915) 273-3238

C. Pursuant to Texas Government Code Section 551.071, discuss legal rights and responsibilities regarding the County's response to the lifting of Title 42.

Ana Schumacher, Assistant 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 0055-16-LD, pursuant to Texas Government Code Section 551.071.

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

E. Discuss litigation styled Michael Flores v. County of El Paso, Texas Cause No. 2019DCV2227; County Attorney case number 0199-19-LD, pursuant to Texas Government Code Section 551.071.

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

F. Discuss pending litigation styled Carmella Sanchez v. El Paso County, et al.; Cause No. 2020DCV4087; County Attorney case number: 0030-21-LD, 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 Bulldozer, a private business prospect, pursuant to Texas Government Code section 551.087.

Roberto Ransom, Director, Economic Development Department (915) 546-2177

REGULAR SESSION

10. Discuss and take appropriate action regarding the County's ongoing response to the lifting of Title 42.

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

11. Discuss and take appropriate action regarding litigation styled Carmella Sanchez v. El Paso County, et al.; Cause No. 2020DCV4087; County Attorney case number: 0030-21-LD.

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

ADDENDUM TO THE AGENDA

12. EXECUTIVE SESSION: Pursuant to Texas Government Code Section 551.071 and 551.074, receive legal advice and consultation regarding a personnel matter involving the El Paso County Medical

2023 JUL 28 AM 8:31

FILED FOR RECORD
IN MY OFFICE

County Clerk
El Paso County, Texas
Dulce Brumel

Examiner.

Patsy Lopez, Assistant County Attorney, County Attorney's Office (915) 273-3238

Posted Friday, July 28, 2023, at 9:00 A.M.