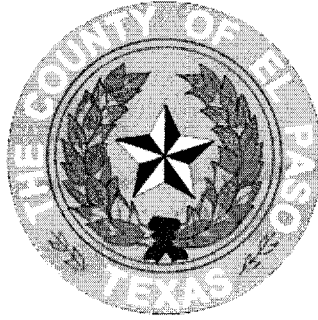


**EL PASO COUNTY  
COMMISSIONERS COURT**

**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>

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**COMMISSIONERS COURT REGULAR MEETING MINUTES  
MONDAY, AUGUST 7, 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 JESSICA DOMINGUEZ, DEPUTY CLERK  
CESAR O. NAVA, DEPTUY CLERK**

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**1. MEETING CONVENED**

Commissioners Court of El Paso County, Texas was called to order by the Deputy Clerk at 936 A.M.

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**2. PLEDGE OF ALLEGIANCE**

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**3. INVOCATION**

Receive an invocation from Chaplain David Mayfield.

#### 4. CONSENT AGENDA

- A. Approval of the Minutes of the regular meeting of July 31, 2023 and the special meeting of August 1, 2023. County Administration Department (915) 546-2215
- B. Approve and authorize the County Judge to sign the First Amendment to the Workforce Development Services Agreement with Project Arriba beginning August 7, 2023. Funding is available in GF-GADM-CONTR SV-PRO ARRIBA-EP. (Contract No. 2023-0582)  
Jose M. Landeros, Director of Strategic Development, County Administration Department (915) 546-2215
- C. Approve and authorize the renewal of the County of El Paso's Burn Ban Order for an additional 90 days effective August 18, 2023. (#2130-OP)  
Elisa Tamayo, Governmental Affairs Manager, County Administration Department (915) 546-2215
- D. Approve and authorize the County Operations Department to add a cell phone line for use by the Volunteer Coordinator, utilizing the existing County Purchasing cooperative contract with Verizon Wireless. Funding is available in GF-VOLUNTEER-COMMUNIC-CELLPHONE. (Contract No. 2023-0093)  
Melissa M. Carrillo, PHR, Executive Director of Operations, County Administration (915) 546-2215
- E. Pursuant to Texas Local Government Code Section 81.032, authorize El Paso County to accept monetary and in-kind donations during fiscal years 2023 and 2024 to fund special events that benefit veterans and veteran employees.  
Melissa M. Carrillo, PHR, Executive Director of Operations, County Administration (915) 546-2215
- F. **PULLED FOR DISCUSSION BY COMMISSIONER CORONADO** - 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
- G. Approve amendment No. 36 to the County of El Paso's 2022-2023 operating budget. This budgetary amendment will increase Grants by \$77,285.16, thus increasing the overall budget of \$729,432,403.64 to \$729,509,688.80.  
Jessica C. Garza, Interim Director, Budget and Fiscal Policy Department (915) 546-2262
- H. Approve and authorize the County Judge to sign Addendum to Service Order No. DOC-0001062483 between the County of El Paso and CenturyLink Communications, LLC d/b/a Lumen Technologies Group (and its affiliated entities). No fiscal impact. (Contract No. 2023-0546)  
Art Nevarez, Interim Chief Information Officer, Information Technology Department (915) 255-0748
- I. Approve and authorize the County Judge to sign the agreement between the County of El Paso and Insight Public Sector purchase of Sierra Wireless Airlink to equip thirty-six (36) vehicles for the County of El Paso Constables Office and Animal Welfare Department (12306745) using Omnia Partners Contract 4400006644. Funding is available in the following account CIP23-ITD-IT EQUIP for a total amount of \$99,158.76. (Contract No. 2023-0575)  
Art Nevarez, Interim Chief Information Officer, Information Technology Department (915) 255-0748
- J. Approve and authorize an amendment to increase the FY23 Justice of the Peace Technology Fund approved budget (Special Revenue Fund 6043) in the amount of \$856. This amended request is to cover the cost of the copy machine lease agreement for JP4. Funding is available in SR-JPTECH-OPS-CONTINGENCIES. Further, approve the reallocation of funds in the amount of \$856 from SR-JPTECH-OPS CONTINGENCIES to SR-JPTECH-RENT/LEASES.  
Judge Rebeca Bustamante, Justice Court, Pct. 4 (915) 538-1600
- K. Approve and authorize additional funding for the Texas Parks and Wildlife Department Grant project for the All-Abilities Playgrounds. Funding is available in GF-SPORTSPARK-CAP OUT-EQUIP. Further approve the transfer of funds in the amount of \$38,428 from GF-SPORTSPARK-CAP OUT-EQUIP to GF-GADM-XFER OUT-GRANT MATCH, and further approve the transfer of funds in the amount of \$38,427.58 from GF-GADM-XFER OUT-GRANT MATCH to SG-PARKS19-CAP OUTLAYS.  
Veronica Myers, Director, Parks and Recreation Department (915) 771-2380

L. Approve and authorize the County Judge to sign the First Amendment to the Interlocal Agreement (ILA) Project Development Agreement for the Fabens Airport Fuel Farm and Automated Weather Observing System (AWOS) Project with the Camino Real Regional Mobility Authority (CRRMA) for engineering design, procurement assistance, Construction Engineering & Inspection (CEI), and additional engineering services at the Fabens Airport. Funding in the amount of \$1.1 million is available in CP-TN22-FAAWOS-CAP OUT-RENOV. (Contract No. 2023-0554) (Precinct 3)

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

M. Approve and authorize the County Judge to sign the First Amendment to the Interlocal Agreement Project Development Agreement for the Design and Construction of the Fabens Sidewalk Project (CSJ: 0924-06-648) 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. 2023-0561) (Precinct 3)

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

N. Approve and authorize the County Judge to sign the Fifth Amendment to the Transportation Services Agreement with First Transit, Inc., to update the hourly rates for service. Funding is available in SG-GURURALF22-OPERATING EX and SG-GRURALF23-OPERATING EX. (Contract No. 2023-0569)

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

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

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

P. Approve the Purchase of Juror Chairs for the County of El Paso Courtrooms using OMNIA Contract 07-73 awarded to 9 to 5 Seating, LLC, of Hawthorne, CA, with Contract Associates of El Paso, LLC as the authorized distributor, dealer, or reseller relative to the equipment, products, or services offered under OMNIA Contract 07-73, for a grand total \$202,803.74. Funding available in CP-REPLACE23-FURNITURE-RENOV.

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

Q. Approve the award recommendation of RFP 23-012 Promotional Testing Services for the County of El Paso Human Resources Department to Administer Law Enforcement Promotional Testing for the Sheriff's Office to the highest scoring firm Morris & McDaniel, Inc. of Alexandria, VA. Purchasing approved on July 25, 2023. Funds are available in GF-HR-PROF SVC-GEN.

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

R. Approve the purchase of As-Needed Purchases of Promotional and Commemorative Items for the County of El Paso using Buyboard Contract 671-22 and ChoicePartners 21/048SG-01 awarded to 4imprint, Inc. of Oshkosh, WI. Pricing as indicated in tabulation. Funding is available through various County department accounts on an as-needed basis.

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

S. **PULLED FOR DISCUSSION BY COMMISSIONER HOLGUIN** - Approve and authorize the Purchasing Agent to close and re-solicit Bid 23-020 El Paso County Skate Parks Renovations.

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

T. 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

U. Approve and authorize the County Judge to sign the Seventh Amendment to the Interlocal Agreement between the County of El Paso and the El Paso County Hospital District d/b/a University Medical Center of El Paso for Inmate Healthcare and Mental Healthcare Services, that provides continued and expanded COVID-19 testing and mitigation support in confinement facilities as required by the Texas Health & Human Services Commission Grant Award/Agreement. (Contract No. 2023-0588)

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

**MOTION: APPROVE**

Motion by Commissioner Stout  
Seconded by Commissioner Coronado

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

## 5. RESOLUTIONS

A. Approve and adopt a resolution recognizing August 6 - 12, 2023, as "National Health Centers 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 Stout

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

B. Approve and adopt a resolution recognizing The Opportunity Center for the Homeless, which works diligently to protect vulnerable populations from the effects of homelessness in El Paso, and promote their 5K Run/Fun Walk & Kids' Dash Race, on Saturday, August 12, 2023, 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, Stout, Holguin, Coronado  
Members Voting Nay: None

## 6. PUBLIC COMMENT

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

Commissioner Sergio Coronado advised the public to stay safe in the summer heat and thanked those working the cooling stations for the public and thanked Canutillo High school for hosting a community meeting and the Public Works Parks, Transportation, and Infrastructure Divisions for participating at the community meeting.

## BOARD APPOINTMENTS

9. Approve the appointment of Commissioner Iliana Holguin's nominee, Roxanne Jurado, to the El Paso County Ethics Commission for a two-year term ending January 31, 2025.

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

### **MOTION: APPROVE**

Motion by Commissioner Holguin  
Seconded by Commissioner Coronado

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

## 7. PRESENTATION

A. Receive a presentation from the El Paso Central Appraisal District on the County of El Paso 2023 Certified Appraisal Roll.

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

## PRESENTATION RECEIVED

### **TAX ASSESSOR – COLLECTOR**

11. Accept the 2023 No-New-Revenue (NNR) & Voter-Approval Tax Rate (VAR) Calculations for El Paso County: No-New-Revenue Rate: \$0.401692/\$100; Voter-Approval Rate: \$0.458889/\$100.

Ruben P. Gonzalez, Tax Assessor-Collector, Tax Assessor-Collector's Office (915) 771-2300

### **MOTION: ACCEPT THE 2023 NO-NEW-REVENUE (NNR) & VOTER-APPROVAL TAX RATE (VAR) CALCULATIONS FOR EL PASO COUNTY: NO-NEW-REVENUE RATE: \$0.401692/\$100; VOTER-APPROVAL RATE: \$0.458889/\$100.**

Motion by Commissioner Stout  
Seconded by County Judge Samaniego

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

12. Accept the 2023 No-New-Revenue (NNR) & Voter-Approval Tax Rate (VAR) Calculations for the El Paso County Hospital District: No-New-Revenue Rate: \$0.222069/\$100; Voter-Approval Rate: \$0.235650/\$100.  
Ruben P. Gonzalez, Tax Assessor-Collector, Tax Assessor Collector's Office (915) 771-2300

**MOTION: ACCEPT THE 2023 NO-NEW-REVENUE (NNR) & VOTER-APPROVAL TAX RATE (VAR) CALCULATIONS FOR THE EL PASO COUNTY HOSPITAL DISTRICT: NO-NEW-REVENUE RATE: \$0.222069/\$100; VOTER-APPROVAL RATE: \$0.235650/\$100.**

Motion by Commissioner Stout

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

Seconded by County Judge Samaniego

Members Voting Nay: None

## **BUDGET AND FINANCE**

14. Pursuant to the Property Tax Code, § 26.05(d) propose a tax rate, or pursuant to the Property Tax Code, § 26.05(a), adopt a tax rate for the El Paso County Hospital District.

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

**MOTION: PROPOSE A PROPERTY TAX RATE FOR THE EL PASO COUNTY HOSPITAL DISTRICT D/B/A UNIVERSITY MEDICAL CENTER OF EL PASO, IN THE AMOUNT OF \$0.235650 PER \$100 ASSESSED VALUATION, CONSISTING OF \$0.197663 PER \$100 ASSESSED VALUATION FOR THE MAINTENANCE AND OPERATIONS, AND A RATE OF \$0.037987 PER \$100 ASSESSED VALUATION FOR PAYMENT OF THE PRINCIPAL AND INTEREST ON THE DEBT OF THE HOSPITAL DISTRICT. THE PROPOSED TAX RATE EXCEEDS THE NO-NEW-REVENUE RATE, HOWEVER DOES NOT EXCEED THE VOTER-APPROVAL TAX RATE. FURTHER, SCHEDULE AND PUBLISH NOTICE OF A MEETING TO VOTE ON THE PROPOSED TAX RATE TO BE HELD ON MONDAY, AUGUST 21, 2023, AT 5:30 P.M. IN THE COMMISSIONERS COURT CHAMBERS, 3RD FLOOR, ROOM 303, EL PASO COUNTY COURTHOUSE, 500 E. SAN ANTONIO AVENUE. PLEASE NOTE THAT THE PUBLIC HAS TWO OPTIONS IN WHICH TO PARTICIPATE IN THE MEETING. MEMBERS OF THE PUBLIC MAY ATTEND IN PERSON OR PARTICIPATE AND ADDRESS THE COURT VIA VIDEOCONFERENCE OR TELEPHONE. INSTRUCTIONS ON HOW TO PARTICIPATE VIA VIDEOCONFERENCE ARE AVAILABLE AT EPCOUNTY.COM. TO PARTICIPATE IN THE MEETING VIA TELEPHONE, PLEASE CALL 888-835-7276 OR 888-8 EL PASO. AGENDAS WILL CONTINUE TO BE POSTED ONLINE AT WWW.EPCOUNTY.COM. TO WATCH ONLINE PLEASE VISIT WWW.EPCOUNTY.COM/VIDEO OR ON YOUTUBE BY SEARCHING COUNTY OF EL PASO, TEXAS COMMISSIONERS COURT PUBLIC MEETINGS.**

Motion by County Judge Samaniego

Members Voting Aye: Judge Samaniego, Stout, Coronado

Seconded by Commissioner Stout

Members Voting Nay: Holguin

15. Pursuant to the Property Tax Code, § 26.05(d) propose a tax rate, or pursuant to the Property Tax Code, § 26.05(a), adopt a tax rate for El Paso County.

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

**MOTION: PROPOSE A PROPERTY TAX RATE FOR EL PASO COUNTY OF \$0.458889 PER \$100 ASSESSED VALUE FOR THE 2023 TAX YEAR, WHICH CONSISTS OF A RATE OF \$0.406984 PER \$100 ASSESSED VALUE FOR MAINTENANCE AND OPERATIONS OF THE COUNTY, AND A RATE OF \$0.051905 PER \$100 ASSESSED VALUE FOR PAYMENT OF THE PRINCIPAL AND INTEREST ON THE DEBT OF THE COUNTY. FURTHER, SCHEDULE AND PUBLISH NOTICE FOR A PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON THE PROPOSED TAX RATE AS FOLLOWS: THE PUBLIC HEARING IS TO BE HELD ON MONDAY, AUGUST 21, 2023, AT 5:30 P.M. IN THE COMMISSIONERS COURT CHAMBERS, 3RD FLOOR, ROOM 303, EL PASO COUNTY COURTHOUSE, 500 E. SAN ANTONIO AVE. PLEASE NOTE THAT THE PUBLIC HAS TWO OPTIONS IN WHICH TO PARTICIPATE IN THE PUBLIC HEARING. MEMBERS OF THE PUBLIC MAY ATTEND IN PERSON AT THE EL PASO COUNTY COURTHOUSE AS NOTED EARLIER OR MEMBERS OF THE PUBLIC MAY PARTICIPATE AND ADDRESS THE GOVERNMENTAL BODY VIA TELEPHONE OR VIDEOCONFERENCE. TO PARTICIPATE IN THE PUBLIC HEARING, PLEASE CALL 888-835-7276 OR 888-8EL PASO. AGENDAS WILL CONTINUE TO BE POSTED ONLINE AT: [HTTPS://ELPASO.NOVUSAGENDA.COM/AGENDAPUBLIC/](https://elpaso.novusagenda.com/agendapublic/). TO WATCH ONLINE PLEASE VISIT [HTTPS://WWW.EPCOUNTY.COM/VIDEO/](https://www.epcounty.com/video/) OR [HTTPS://WWW.YOUTUBE.COM/CHANNEL/UC-2RXYOS6Y6VKDLP5EM00LA](https://www.youtube.com/channel/UC-2RXYOS6Y6VKDLP5EM00LA).**

Motion by County Judge Samaniego

Members Voting Aye: Judge Samaniego, Stout, Coronado

Seconded by Commissioner Coronado

Members Voting Nay: Holguin

**16. INTO EXECUTIVE SESSION AT 11:03 A.M.**

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

**B. CORRECTION PER STRATEGIC CAPITAL DEVELOPMENT** Pursuant to Texas Government Code Sec. 551.0725, discuss the Hotel Occupancy Tax Event Application **AND CONTRACT WITH Brightside LLC Series 1.**  
Jose M. Landeros, Director of Strategic Development, County Administration (915) 546-2159

F. Discuss financial information and economic development negotiations received regarding a Chapter 381 Agreement with Project Sun, a private business prospect, pursuant to Texas Government Code section 551.087.  
Roberto Ransom, Director, Economic Development Department (915) 546-2177

**MEETING RECONVENED AT 11:07 A.M.**

**EXECUTIVE SESSION**

**16B. CORRECTION PER STRATEGIC CAPITAL DEVELOPMENT** Pursuant to Texas Government Code Sec. 551.0725, discuss the Hotel Occupancy Tax Event Application **AND CONTRACT WITH Brightside LLC Series 1.**  
Jose M. Landeros, Director of Strategic Development, County Administration (915) 546-2159

**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 # 16B, TO DISCUSS THE HOTEL OCCUPANCY TAX EVENT APPLICATION AND CONTRACT WITH BRIGHTSIDE LLC SERIES 1.**

Motion by County Judge Samaniego  
Seconded by Commissioner Stout

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

**16. INTO EXECUTIVE SESSION AT 11:09 A.M.**

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

**B. CORRECTION PER STRATEGIC CAPITAL DEVELOPMENT** Pursuant to Texas Government Code Sec. 551.0725, discuss the Hotel Occupancy Tax Event Application **AND CONTRACT WITH Brightside LLC Series 1.**  
Jose M. Landeros, Director of Strategic Development, County Administration (915) 546-2159

F. Discuss financial information and economic development negotiations received regarding a Chapter 381 Agreement with Project Sun, a private business prospect, pursuant to Texas Government Code section 551.087.  
Roberto Ransom, Director, Economic Development Department (915) 546-2177

**MEETING RECONVENED AT 11:53 A.M.**

**16. INTO EXECUTIVE SESSION AT 11:56 A.M.**

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

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 litigation styled Associated General Contractors of Texas, et al. v. Ricardo A. Samaniego, in his official capacity as County Judge, et al; Cause No. 2021DCV1132; County Attorney case number 0068-21-LD, pursuant to Texas Government Code Section 551.071.  
Ian R. Kaplan, Assistant County Attorney, County Attorney's Office (915) 546-2050



**PURCHASING**

10. Approve the purchase of Replacement and Installation of the Juvenile Justice Center Building Roof's for the County of El Paso (12308499) using Region 19 Job Order Contract (JOC) 21-7411 awarded to The Roof & Metal Co. (E. Ortiz Corp.) of El Paso, Texas, in a grand total \$1,287,977.89. Funding is available in CP-TN23A-JPD-RENOV-ROOF/HVAC.

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

**MOTION: APPROVE**

Motion by County Judge Samaniego

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

Seconded by Commissioner Holguin

Members Voting Nay: None

**PUBLIC WORKS**

13. 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: APPROVE AND AUTHORIZE THE COUNTY JUDGE TO SIGN THE AUGUST 7, 2023, 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**

Motion by County Judge Samaniego

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

Seconded by Commissioner Holguin

Members Voting Nay: None

**MEETING ADJOURNED AT 3:37 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>

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**COMMISSIONERS COURT REGULAR MEETING MINUTES  
MONDAY, AUGUST 7, 2023**

**MEETING ADJOURNED AT 3:37 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

14th DAY OF August, 2023

  
\_\_\_\_\_  
COUNTY JUDGE RICARDO A. SAMANIEGO, PRESIDING

2023 AUG 04 AM 8:55

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-2RxYOS6Y6VkdIp5eM0OLA>

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.**

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# AGENDA

Regular Meeting, August 7, 2023 - 9:30 AM

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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 31, 2023 and the special meeting of August 1, 2023.

*County Administration Department (915) 546-2215*

- B. Approve and authorize the County Judge to sign the First Amendment to the Workforce Development Services Agreement with Project Arriba beginning August 7, 2023. Funding is available in GF-GADM-CONTR SV-PRO ARRIBA-EP. (Contract No. 2023-0582)

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

- C. Approve and authorize the renewal of the County of El Paso's Burn Ban Order for an additional 90 days effective August 18, 2023. (#2130-OP)

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

- D. Approve and authorize the County Operations Department to add a cell phone line for use by the Volunteer Coordinator, utilizing the existing County Purchasing cooperative contract with Verizon Wireless. Funding is available in GF-VOLUNTEER-COMMUNIC-CELLPHONE. (Contract No. 2023-0093)

*Melissa M. Carrillo, PHR, Executive Director of Operations, County Administration (915) 546-2215*

- E. Pursuant to Texas Local Government Code Section 81.032, authorize

El Paso County to accept monetary and in-kind donations during fiscal years 2023 and 2024 to fund special events that benefit veterans and veteran employees.

*Melissa M. Carrillo, PHR, Executive Director of Operations, County Administration (915) 546-2215*

- F. 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*

- G. Approve amendment No. 36 to the County of El Paso's 2022-2023 operating budget. This budgetary amendment will increase Grants by \$77,285.16, thus increasing the overall budget of \$729,432,403.64 to \$729,509,688.80.

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

- H. Approve and authorize the County Judge to sign Addendum to Service Order No. DOC-0001062483 between the County of El Paso and CenturyLink Communications, LLC d/b/a Lumen Technologies Group (and its affiliated entities). No fiscal impact. (Contract No. 2023-0546)

*Art Nevarez, Interim Chief Information Officer, Information Technology Department (915) 255-0748*

- I. Approve and authorize the County Judge to sign the agreement between the County of El Paso and Insight Public Sector purchase of Sierra Wireless Airlink to equip thirty-six (36) vehicles for the County of El Paso Constables Office and Animal Welfare Department (12306745) using Omnia Partners Contract 4400006644. Funding is available in the following account CIP23-ITD-IT EQUIP for a total amount of \$99,158.76. (Contract No. 2023-0575)

*Art Nevarez, Interim Chief Information Officer, Information Technology Department (915) 255-0748*

- J. Approve and authorize an amendment to increase the FY23 Justice of the Peace Technology Fund approved budget (Special Revenue Fund 6043) in the amount of \$856. This amended request is to cover the cost of the copy machine lease agreement for JP4. Funding is available in SR-JPTECH-OPS-CONTINGENCIAS. Further, approve the reallocation of funds in the amount of \$856 from SR-JPTECH-OPS CONTINGENCIAS to SR-JPTECH-RENT/LEASES.

*Judge Rebeca Bustamante, Justice Court, Pct. 4 (915) 538-1600*

- K. Approve and authorize additional funding for the Texas Parks and Wildlife Department Grant project for the All-Abilities Playgrounds. Funding is available in GF-SPORTSPARK-CAP OUT-EQUIP. Further approve the transfer of funds in the amount of \$38,428 from GF-SPORTSPARK-CAP OUT-EQUIP to GF-GADM-XFER OUT-GRANT MATCH, and further approve the transfer of funds in the amount of \$38,427.58 from GF-GADM-XFER OUT-GRANT MATCH to SG-PARKS19-CAP OUTLAYS.

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

- L. Approve and authorize the County Judge to sign the First Amendment to the Interlocal Agreement (ILA) Project Development Agreement for the Fabens Airport Fuel Farm and Automated Weather Observing

System (AWOS) Project with the Camino Real Regional Mobility Authority (CRRMA) for engineering design, procurement assistance, Construction Engineering & Inspection (CEI), and additional engineering services at the Fabens Airport. Funding in the amount of \$1.1 million is available in CP-TN22-FAAWOS-CAP OUT-RENOV. (Contract No. 2023-0554) (Precinct 3)

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

- M. Approve and authorize the County Judge to sign the First Amendment to the Interlocal Agreement Project Development Agreement for the Design and Construction of the Fabens Sidewalk Project (CSJ: 0924-06-648) 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. 2023-0561) (Precinct 3)

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

- N. Approve and authorize the County Judge to sign the Fifth Amendment to the Transportation Services Agreement with First Transit, Inc., to update the hourly rates for service. Funding is available in SG-GURURALF22-OPERATING EX and SG-GRURALF23-OPERATING EX. (Contract No. 2023-0569)

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

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

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

- P. Approve the Purchase of Juror Chairs for the County of El Paso Courtrooms using OMNIA Contract 07-73 awarded to 9 to 5 Seating, LLC, of Hawthorne, CA, with Contract Associates of El Paso, LLC as the authorized distributor, dealer, or reseller relative to the equipment, products, or services offered under OMNIA Contract 07-73, for a grand total \$202,803.74. Funding available in CP-REPLACE23-FURNITURE-RENOV.

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

- Q. Approve the award recommendation of RFP 23-012 Promotional Testing Services for the County of El Paso Human Resources Department to Administer Law Enforcement Promotional Testing for the Sheriff's Office to the highest scoring firm Morris & McDaniel, Inc. of Alexandria, VA. Purchasing approved on July 25, 2023. Funds are available in GF-HR-PROF SVC-GEN.

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

- R. Approve the purchase of As-Needed Purchases of Promotional and Commemorative Items for the County of El Paso using Buyboard Contract 671-22 and ChoicePartners 21/048SG-01 awarded to 4imprint, Inc. of Oshkosh, WI. Pricing as indicated in tabulation. Funding is available through various County department accounts on an as-needed basis.

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

- S. Approve and authorize the Purchasing Agent to close and re-solicit Bid 23-020 El Paso County Skate Parks Renovations.

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

- T. 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*

- U. Approve and authorize the County Judge to sign the Seventh Amendment to the Interlocal Agreement between the County of El Paso and the El Paso County Hospital District d/b/a University Medical Center of El Paso for Inmate Healthcare and Mental Healthcare Services, that provides continued and expanded COVID-19 testing and mitigation support in confinement facilities as required by the Texas Health & Human Services Commission Grant Award/Agreement. (Contract No. 2023-0588)

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

## **5. RESOLUTIONS**

- A. Approve and adopt a resolution recognizing August 6 - 12, 2023, as "National Health Centers Week", in El Paso County, Texas.

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

- B. Approve and adopt a resolution recognizing The Opportunity Center for the Homeless, which works diligently to protect vulnerable populations from the effects of homelessness in El Paso, and promote their 5K Run/Fun Walk & Kids' Dash Race, on Saturday, August 12, 2023, in El Paso County, Texas.

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

## **6. PUBLIC COMMENT**

## **7. PRESENTATION**

- A. Receive a presentation from the El Paso Central Appraisal District on the County of El Paso 2023 Certified Appraisal Roll.

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

- B. Receive a presentation and discuss the monthly report from the Council of Judges.

*Michael Cuccaro, Executive Director, Council of Judges (915) 546-2143*

- C. Receive a presentation from the El Paso Sports Commission regarding its quarterly status report.

*Melissa M. Carrillo, PHR, Executive Director of Operations, County Administration (915) 546-2215*

## **REGULAR AGENDA**

8. (Postponed 7/10/23; 7/24/23) Accept the quarterly report from the El Paso County Housing Authority.

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

## **BOARD APPOINTMENTS**

9. Approve the appointment of Commissioner Iliana Holguin's nominee, Roxanne Jurado, to the El Paso County Ethics Commission for a two-year term ending January 31, 2025.

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

## **PURCHASING**

10. Approve the purchase of Replacement and Installation of the Juvenile Justice Center Building Roof's for the County of El Paso (12308499) using Region 19 Job Order Contract (JOC) 21-7411 awarded to The Roof & Metal Co. (E. Ortiz Corp.) of El Paso, Texas, in a grand total \$1,287,977.89. Funding is available in CP-TN23A-JPD-RENOV-ROOF/HVAC.

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

## **TAX ASSESSOR - COLLECTOR**

11. Accept the 2023 No-New-Revenue (NNR) & Voter-Approval Tax Rate (VAR) Calculations for El Paso County: No-New-Revenue Rate: \$0.401692/\$100; Voter-Approval Rate: \$0.458889/\$100.

*Ruben P. Gonzalez, Tax Assessor-Collector, Tax Assessor-Collector's Office (915) 771-2300*

12. Accept the 2023 No-New-Revenue (NNR) & Voter-Approval Tax Rate (VAR) Calculations for the El Paso County Hospital District: No-New-Revenue Rate: \$0.222069/\$100; Voter-Approval Rate: \$0.235650/\$100.

*Ruben P. Gonzalez, Tax Assessor-Collector, Tax Assessor Collector's Office (915) 771-2300*

## **PUBLIC WORKS**

13. (Postponed 7/24/23 and 7/31/23) 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*

## **BUDGET AND FINANCE**

14. Pursuant to the Property Tax Code, § 26.05(d) propose a tax rate, or pursuant to the Property Tax Code, § 26.05(a), adopt a tax rate for the El Paso County Hospital District.

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

15. Pursuant to the Property Tax Code, § 26.05(d) propose a tax rate, or pursuant to the Property Tax Code, § 26.05(a), adopt a tax rate for El Paso County.

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

## 16. 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 Sec. 551.0725, discuss the Hotel Occupancy Tax Event Application submitted by Brightside LLC Series 1.

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

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 litigation styled Associated General Contractors of Texas, et al. v. Ricardo A. Samaniego, in his official capacity as County Judge, et al; Cause No. 2021DCV1132; County Attorney case number 0068-21-LD, pursuant to Texas Government Code Section 551.071.

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

E. Discuss litigation styled Mayra Cruz v. El Paso County, Texas; Cause No. 2020DCV3920; County Attorney case number: 0006-21-LD, pursuant to Texas Government Code Section 551.071.

*Ian R. Kaplan, 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 Sun, a private business prospect, pursuant to Texas Government Code section 551.087.

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

## REGULAR SESSION

17. 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*