

**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, SEPTEMBER 18, 2023**

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

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

1. MEETING CONVENED

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

2. PLEDGE OF ALLEGIANCE

Harmony Science Academy Student Council Members and Rocketry Team led the Commissioners Court in the Pledge of Allegiance and Texas Pledge.

3. INVOCATION

Receive an invocation from Rabbi Levi Greenberg.

4. CONSENT AGENDA

A. Approval of the Minutes of the regular meeting of September 11, 2023, and the special meetings of September 12, 2023, and September 14, 2023.

County Administration Department (915) 546-2215

B. Approve and authorize the County Judge to sign the grant match award interlocal agreement with the El Paso Metropolitan Planning Organization (MPO) for the Safe Streets For All Comprehensive Safety Action Plan upon final review and approval from the County Attorney's Office. Funding in the amount of \$50,000 is available in GF-EPCMP-PROF SVC-GEN and will be budgeted in FY24 and FY25. (Contract No. 2023-0740)

Jose M. Landeros, Executive Director, Strategic Capital Development Department (915) 546-2159

C. Approve and authorize the creation of the Communications Policies, Procedures and Guidelines for the County Operations Department. (#95-OP)

Melissa M. Carrillo, PHR, Executive Director, County Operations Department (915) 546-2000

D. 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.

Barbara Parker, County Auditor, County Auditor's Office (915) 546-2040

E. Approve amendment No. 41 to the County of El Paso's 2022-2023 operating budget. This budgetary amendment will decrease Grants by \$380, thus decreasing the overall budget of \$735,926,566.03 to \$735,926,186.03.

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

F. Approve and authorize the additional funding needed for the Fleet Operations Department for various vehicle purchases. Further, approve the re-allocation of funding in the amount of \$38,254.75 from the CP-REPLACE23-FLEET-VEHICLES to CP-REPLACE22-NUTRIADMIN-VEHICL, CP-REPLACE22-INFRASTRUCSVC-VEH, and CP-REPLACE22-VASSIST-VEHICLES for the additional funding needed for the various vehicle purchases.

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

G. Pursuant to Texas Local Government Code Section 81.032, approve and authorize the Community Services Department to accept monetary donations and/or donations of items needed to assist with non-traditional services for individual families served by the Department and towards trainings and presentations for community education as further described in the agenda item background.

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

H. Approve and authorize the County Judge to sign the Office of the Attorney General Statewide Automated Victim Notification Services (SAVNS) Fiscal Year 2023 Q4 Invoice in the amount of \$7,350.79, the Invoice Certification required by Texas Grant Management Standards, and the Quarterly Verification of Continuing Production record form for automated victim information and notification in El Paso County. There is no fiscal impact to the County general fund budget.

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

I. **CORRECTION PER COUNTY ATTORNEY'S OFFICE** - Approve and authorize the County Judge to sign the Second Amendment to Chapter 381 Economic Development Program Agreement/Financial Assistance For Safety, Technology & Economic Resilience (FASTER) between the County of El Paso and Liftfund, Inc, pending review and approval from the County Attorney's Office. **(CONTRACT NO. 2023-0746)**

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

J. **CORRECTION PER BUDGET AND FISCAL POLICY** (Postponed 9/11/23) Approve and authorize the County Judge to sign the Liability Insurance Rate Proposal, and related documents for FY24 which will authorize the County's Insurance Broker (USI Southwest Inc.) to proceed with obtaining insurance policies based on their Liability Insurance Rate Proposal for Auto, Crime, Property, Special Events General, and Drone Insurance coverages in the amount of \$857,606 for premiums. Funding is available in GF-GADM-INS-GEN/PROPERTY **AND VARIOUS DEPARTMENT INS-LIABILITY VEH ACCOUNTS**. (Contract No. 2023-0702)

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

K. Approve and authorize the County Judge to sign the First and Only Option to Renew Agreement between El Paso County and Flahive, Ogden & Latson (FO&L) for designated Austin representative services for workers' compensation. Funds are available in IS-WC-WORKERS COMP-ADMIN. (Contract No. 2023-0595)

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

- L. Approve and authorize the County Judge to sign the Texas Department of Insurance, Division of Workers' Compensation Self-Insured Governmental Entity Coverage Information Form to report proof of coverage information, pursuant to the Texas Labor Code for coverage year October 1, 2023, through September 30, 2024. There is no cost to the County.
Minnie Holguin, Chief Human Resources Officer, Human Resources Department (915) 546-2218
- M. Approve and authorize the transfer of funds in the amount of \$32,917 to cover remaining recruitment pre-employment medical, drug, and psychological expenses from GF-HR-CONTR SVC-GEN to GF-HR-PROF SVC-GEN.
Minnie Holguin, Chief Human Resources Officer, Human Resources Department (915) 546-2218
- N. Approve and authorize the County Judge to sign the Contract for the Recovery and Transportation of Deceased to the Office of the Medical Examiner with Legacy Mortuary Services of El Paso, LLC from October 1, 2023, through September 30, 2024 with two additional one-year options to renew. Funds are available in GF-MEDEXAM-CONTR SVC-GEN. (Contract No. 2023-0584)
Mario A. Rascon, M.D., Chief Medical Examiner, Office of the Medical Examiner (915) 532-1447
- O. Approve and authorize the County Judge to sign the Seventh Renewal of the Memorandum of Understanding between El Paso County on behalf of the Office of the Medical Examiner and Texas Tech University Health Science Center at El Paso/Southwest Brain Bank, for the period beginning October 1, 2023, through September 30, 2024. (Contract No. 2023-0655)
Mario A. Rascon, M.D., Chief Medical Examiner, Office of the Medical Examiner (915) 532-1447
- P. Approve and authorize the County Judge to sign the Memorandum of Understanding by and between the County of El Paso, Texas and Cathedral High School for use of the Ascarate Golf Course for students golf practice from August 15, 2023, through May 31, 2024, with a maximum of 10 students per day, Monday through Friday, with tournaments at a pay rate of \$2,750 and a per player rate of \$21 per tournament. Funds will be deposited in GF-GOLFCOURSE-GREEN FEES. (Contract No. 2023-0658)
Veronica Myers, Director, Parks & Recreation Department (915) 771-2380
- Q. Approve and authorize the County Judge to sign the Memorandum of Understanding by and between the County of El Paso, Texas and Loretto Academy for use of the Ascarate Golf Course for students golf practice from August 15, 2023, through May 31, 2024, with a maximum of 10 students per day, Monday through Friday, with tournaments at a pay rate of \$2,750 and a per player rate of \$21 per tournament. Funds will be deposited in GF-GOLFCOURSE-GREEN FEES. (Contract No. 2023-0678)
Veronica Myers, Director, Parks & Recreation Department (915) 771-2380
- R. Approve and accept the revision of Bill Burnett Unit One Subdivision to be named Bill Burnett Unit One Replat A Subdivision pursuant to requirements of the Texas Local Government Code §232.041 (Revision of Plat); further, authorize the filing and recording of the subdivision plat.
Michael McElroy, Director, Planning & Development Department (915) 546-2015
- S. Approve and authorize the County Judge to sign the Release of Obligation for improvements located in The Village at Mission Ridge Unit 1 subdivision (Instrument No. 1098384). Further, accept the identified improvements into the County of El Paso Road System for maintenance.
Michael McElroy, Director, Planning & Development Department (915) 546-2015
- T. 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
- U. Approve and authorize the County Judge to sign the Right-of-Entry and License Agreement between the County of El Paso and Texas A&M Transportation Institute ("TTI") for purposes of installing, implementing, and maintaining an expansion of the Border Wait Time Measurement System. (Contract No. 2023-0713)
Norma Palacios, Public Works Director, Public Works Department (915) 546-2015

V. Approve the As-Needed Purchase of Electrical Supplies for the County of El Paso using Region 19 Contract 22-7434 awarded to Border States Electric Supply (Border States Industries, Inc) (Chapman Metering) El Paso, Texas, CED-El Paso (Consolidated Electrical Distributors) El Paso, Texas, Copper State Bolt and Nut El Paso, Texas, Desert Electrical Supply, Inc. El Paso, Texas, and Summit Electric Supply El Paso, Texas. Discounts as indicated in tabulation. The County's yearly expenditure for goods listed under this contract is approximately \$250,000. Funding is available through various County accounts on an as-needed basis.

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

W. Approve the As-Needed Purchases of Field and Turf Irrigation Products, Landscaping Products, Specialty Conditioners and Soils, Grounds Maintenance Equipment, Parts and Supplies for the County of El Paso using Buy Board Contract 705-23 and 706-23 awarded to Ewing Irrigation Products, Inc., of Phoenix, AZ and Helena Agri Enterprises, LLC of Schertz, TX. Discounts as identified in the cooperative contracts. The County's yearly expenditure for goods listed under this contract is approximately \$240,000. Funding is available in GF-COUNTYPARKS-OPS, EXPENSE-GEN, GF-ASCARATE-OPS EXPENSES-GEN, GF-GOLFCOURSE-OPS EXPENSES-GEN, GF-SPORTSPARK-OPS EXPENSES-GEN.

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

X. Approve the purchase of County of El Paso Courthouse Employee Parking Enclosure using Buy Board Job Order Contract 581-19 awarded to Basic IDIQ, Inc. of El Paso, Texas for a grand total \$269,476.66. Purchasing approved September 6, 2023. Funding available in CP-TN23B-RENOV-GARAGE SECURITY.

Karen L. Davidson, Purchasing Agent, Purchasing Department (915) 546-2109

Y. Approve the purchase of Installation of Fiber Infrastructure at the El Paso County Ascarate Annex and Ascarate Park Located at 6900 Delta Drive (RQ12310317) using Region 19 Contract 23-7469 awarded to New IPS Inc. of El Paso, Texas in the amount of \$87,128.28. Purchasing approved September 6, 2023. Funding available in GF-ITD-CONTR-SVR-GEN.

Karen L. Davidson, Purchasing Agent, Purchasing Department (915) 546-2109

Z. 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

AA. Approve and authorize the County Judge to sign the Standard Dishmachine Rental Agreements and Addendums with Ecolab Inc. for the Downtown Detention Facility (2023-0642) and the Jail Annex (2023-0643) for 60 month terms respectively, in the total amount of \$59,400. Funds are available in SR-COMINMPROF-CONTR SVC-GEN.

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

AB. GRANT – Approve and authorize the County Judge to sign the Drug Court Counseling Services Renewal Agreement for the 65th District Family Drug Court with Pinnacle Social Services LLC for individual assessments and substance abuse treatment from September 1, 2023, through September 1, 2025 in an amount not to exceed \$40,000 per year. Funding is available in SG-GFAMDRGC23-OPERATING EXP. (Contract No. 2023-0727)

Judge Yahara Lisa Gutierrez, 65th Family Drug Court (915) 546-2102

AC. PULLED FOR DISCUSSION BY COMMISSIONER HOLGUIN - GRANT AMENDMENT – Approve and authorize the County Judge sign the First Amendment to the Subrecipient Agreement between the County of El Paso and the United Way of El Paso County for El Paso United Community Resiliency Center – Emergency Rental Assistance (ERA 2) Program extending the term of the agreement through October 31, 2023. (Contract No. 2023-0700)

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

AD. GRANT AWARD – Approve and authorize the County Judge to electronically Docusign the FY 2024 Statewide Automated Victim Notification Service (SAVNS) Maintenance Grant contract (OAG C-01066) with the Office of the Texas Attorney General, for the 24-hour automated information and notification to victims of crime in El Paso County in the amount of \$30,285.26 for the term beginning September 1, 2023, through August 31, 2024. No County match is required. (Contract No. 2023-0723)

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

AE. GRANT – Approve and authorize the transition of two (2) Office Assistant, GS07 from DIMS grant account to the general fund, and further approve a transfer in the amount of \$56,000 from GF-GADM-XFER OUT-GRANT MATCH to various GF-DA-SALARY- accounts to cover the month of September 1, 2023, through September 30, 2023.

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

AF. GRANT AMENDMENT – Approve and authorize the County Judge to sign Amendment 1 to the Texas Department of Transportation (TxDOT) FY2023 Congestion Mitigation and Air Quality (CMAQ) Non-Construction Advanced Funding Agreement (AFA), for the El Paso County Regional Transit Start-Up Assistance Off-System Project (CSJ No. 0924-06-613) to increase funding to \$3,284,283.20 with a County match of \$826,683.80. Funding is available in GF-REG TRANSIT23-GRANT MATCH. (Contract No. 2023-0693)

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

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

F. Approve and adopt a resolution celebrating WWII Veteran, Mr. Ascension (Chon) Calderon, on his 100th birthday this past September 10, 2023.

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

MOTION: APPROVE

Motion by County Judge Samaniego
Seconded by Commissioner Leon

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

D. Approve and adopt a resolution in recognition of the Harmony Science Academy Rocketry Students in El Paso County, Texas.

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

MOTION: APPROVE

Motion by Commissioner Holguin
Seconded by County Judge Samaniego

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

A. Approve and adopt a resolution declaring the week of September 18 - 24, 2023, as "Diaper Need Awareness Week," in El Paso County, Texas.

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

MOTION: APPROVE

Motion by Commissioner Leon
Seconded by County Judge Samaniego

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

B. Approve and adopt a resolution declaring the week of September 17-23, 2023, as "Forensic Science Week" in El Paso County, Texas.

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

MOTION: APPROVE

Motion by Commissioner Leon
Seconded by County Judge Samaniego

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

C. Approve and adopt a resolution congratulating and celebrating Chico's Tacos on its 70th Anniversary and commending the Mora Family for creating something uniquely El Paso.

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

MOTION: APPROVE

Motion by Commissioner Stout
Seconded by County Judge Samaniego

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

E. Approve and adopt a resolution recognizing the week of September 18-23, 2023 as "Constitution Week" 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, Leon, Stout, Holguin, Coronado
Members Voting Nay: None

6. PUBLIC COMMENT

Darrell G. Mond, with the El Paso Veterans and Riders Group, thanked the members of the Commissioners Court for their work and Judge Samaniego for joining with the Lower Valley Veterans Alliance and presenting the Veterans Capital of the USA Recognition.

Elizabeth Crawford addressed the Commissioners Court regarding her opposition to abortion and a national day of remembrance for those lives lost.

Vanessa Tena, with the El Paso County Sheriff's Office, invited the members of the Commissioners Court to National Night Out on Tuesday, October 3, 2023, at the Sheriff's Office Headquarters.

Commissioner Sergio Coronado commented on items from the Consent Agenda that he wanted to highlight.

GRANT APPLICATIONS

Approve the submission of County grant applications as listed and described. If awarded, all grant award agreements will be brought back to the Commissioners Court for final acceptance and approval.

9. Approve and authorize the Public Works Department to apply for the FY22 Environmental Protection Agency, Community Projects Discretionary grant for the Northwest Area Sewer Connection Project, in the amount of \$791,000 from October 1, 2023, through August 31, 2025. A match in the amount of \$197,750 is required. Further, authorize the County Judge to sign all required forms. (Contract No. 2023-0714)

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

10. Approve and authorize the Public Works Department to apply for the FY22 Environmental Protection Agency, Community Projects Discretionary grant for the Northwest Drinking Water Project, in the amount of \$314,000 from October 1, 2023, through August 31, 2025. Further, approve and authorize the County Judge to sign all required forms. A match in the amount of \$78,500 is required. (Contract No. 2023-0718)

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

MOTION: APPROVE BOTH ITEMS 9 AND 10.

Motion by Commissioner Leon
Seconded by County Judge Samaniego

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

ITEMS PULLED FOR DISCUSSION FROM THE CONSENT AGENDA

4AC.PULLED FOR DISCUSSION BY COMMISSIONER HOLGUIN - GRANT AMENDMENT – Approve and authorize the County Judge sign the First Amendment to the Subrecipient Agreement between the County of El Paso and the United Way of El Paso County for El Paso United Community Resiliency Center – Emergency Rental Assistance (ERA 2) Program extending the term of the agreement through October 31, 2023. (Contract No. 2023-0700)

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, Stout, Holguin, Coronado
Members Voting Nay: None

13. INTO EXECUTIVE SESSION AT 11:11 A.M.

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

B. Pursuant to Texas Local Government Code Section 551.074, discuss a personnel matter regarding the pending vacancy for Constable Precinct #1, Oscar Ugarte.
Betsy C. Keller, CM, Chief Administrator, County Administration Department (915) 546-2215

C. Pursuant to Texas Government Code Sections 551.071 & 551.072, discuss legal rights and responsibilities regarding the County's response to the lifting of Title 42 and the corresponding deliberations about Real Property.
Erica Rosales Nigaglioni, Assistant County Attorney, County Attorney's Office (915) 546-2050

D. Discuss the pending claim submitted by Omar Carrasco; County Attorney's file number 0107-23-LC, pursuant to Texas Government Code Section 551.071.
Daniela Chisolm, Assistant County Attorney, County Attorney's Office (915) 546-2040

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

REGULAR SESSION RECONVENED AT 12:17 P.M.

14. Discuss and take appropriate action regarding the pending vacancy for Oscar Ugarte, Constable Precinct # 1.
Betsy C. Keller, CM, Chief Administrator, County Administration Department (915) 546-2215

NO ACTION

15. Discuss and take appropriate action regarding the County's ongoing response to the lifting of Title 42.
Irene G. Valenzuela, Executive Director, Community Services Department (915) 775-2708

NO ACTION

MEETING RECESSED AT 12:20 P.M.

MEETING RECONVENED AT 1:28 P.M.

COUNTY ADMINISTRATION

7. 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

8. Receive a presentation regarding the ongoing development of the El Paso County Major Capital Plan, including, but not limited to, project selections, performance objectives and outcomes, performance management, operational management, and corresponding financial planning and direction to County staff and consultants.
Jose M. Landeros, Director of Strategic Development, County Administration Department (915) 546-2159

PRESENTATION RECEIVED

BUDGET AND FINANCE

11. Pursuant to the Texas Local Government Code § 111.067, conduct a Public Hearing on the proposed El Paso County budget for the fiscal year beginning October 1, 2023, and ending September 30, 2024.
Jessica C. Garza, Interim Director, Budget and Fiscal Policy Department (915) 546-2262

MOTION: OPEN A PUBLIC HEARING.

BETSY KELLER, COUNTY ADMINISTRATOR; COMMISSIONER ILIANA HOLGUIN; BARBARA PARKER, COUNTY AUDITOR; AND JESSICA GARZA, INTERIM BUDGET DIRECTOR SPOKE IN THE PUBLIC HEARING.

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

MOTION: CLOSE THE PUBLIC HEARING.

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

12. Pursuant to Texas Local Government Code, § 111.068, approve and adopt the attached El Paso County annual operating budget for the fiscal year beginning October 1, 2023, and ending September 30, 2024.
Jessica C. Garza, Interim Director, Budget and Fiscal Policy Department (915) 546-2262

MOTION: APPROVE AND ADOPT THE ATTACHED EL PASO COUNTY ANNUAL OPERATING BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2023, AND ENDING SEPTEMBER 30, 2024.

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

MEETING ADJOURNED AT 3:38 P.M.

**EL PASO COUNTY
COMMISSIONERS COURT**

CARLOS LEON
Commissioner, Pct. 1

ILIANA HOLGUIN
Commissioner, Pct. 3



DAVID STOUT
Commissioner, Pct. 2

SERGIO CORONADO
Commissioner, Pct. 4

RICARDO A. SAMANIEGO
County Judge

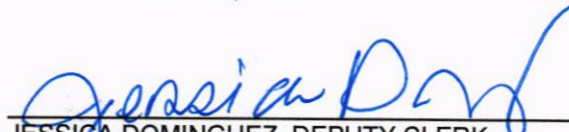
Commissioners Court Chambers, El Paso County Courthouse
500 East San Antonio Room 303 El Paso, Texas 79901
Website address: <http://www.epcounty.com>
View live video webcast: <http://epcounty.com/video>

**COMMISSIONERS COURT REGULAR MEETING MINUTES
MONDAY, SEPTEMBER 18, 2023**

MEETING ADJOURNED AT 3:38 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

25th DAY OF September, 2023



COUNTY JUDGE RICARDO A. SAMANIEGO, PRESIDING

2023 SEP 15 AM 9:17

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

AGENDA

Regular Meeting, September 18, 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 September 11, 2023, and the special meetings of September 12, 2023, and September 14, 2023.

County Administration Department (915) 546-2215

- B. Approve and authorize the County Judge to sign the grant match award interlocal agreement with the El Paso Metropolitan Planning Organization (MPO) for the Safe Streets For All Comprehensive Safety Action Plan upon final review and approval from the County Attorney's Office. Funding in the amount of \$50,000 is available in GF-EPCMP-PROF SVC-GEN and will be budgeted in FY24 and FY25. (Contract No. 2023-0740)

Jose M. Landeros, Executive Director, Strategic Capital Development Department (915) 546-2159

- C. Approve and authorize the creation of the Communications Policies, Procedures and Guidelines for the County Operations Department. (#95-OP)

Melissa M. Carrillo, PHR, Executive Director, County Operations Department (915) 546-2000

- D. 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.

Barbara Parker, County Auditor, County Auditor's Office (915) 546-2040

- E. Approve amendment No. 41 to the County of El Paso's 2022-2023 operating budget. This budgetary amendment will decrease Grants by \$380, thus decreasing the overall budget of \$735,926,566.03 to \$735,926,186.03.

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

- F. Approve and authorize the additional funding needed for the Fleet Operations Department for various vehicle purchases. Further, approve the re-allocation of funding in the amount of \$38,254.75 from the CP-REPLACE23-FLEET-VEHICLES to CP-REPLACE22-NUTRIADMIN-VEHICL, CP-REPLACE22-INFRASTRUCSVC-VEH, and CP-REPLACE22-VASSIST-VEHICLES for the additional funding needed for the various vehicle purchases.

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

- G. Pursuant to Texas Local Government Code Section 81.032, approve and authorize the Community Services Department to accept monetary donations and/or donations of items needed to assist with non-traditional services for individual families served by the Department and towards trainings and presentations for community education as further described in the agenda item background.

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

- H. Approve and authorize the County Judge to sign the Office of the Attorney General Statewide Automated Victim Notification Services (SAVNS) Fiscal Year 2023 Q4 Invoice in the amount of \$7,350.79, the Invoice Certification required by Texas Grant Management Standards, and the Quarterly Verification of Continuing Production record form for automated victim information and notification in El Paso County. There is no fiscal impact to the County general fund budget.

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

- I. Approve and authorize the County Judge to sign the Second Amendment to Chapter 381 Economic Development Program Agreement/Financial Assistance For Safety, Technology & Economic Resilience (FASTER) between the County of El Paso and Liftfund, Inc, pending review and approval from the County Attorney's Office.

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

- J. (Postponed 9/11/23) Approve and authorize the County Judge to sign the Liability Insurance Rate Proposal, and related documents for FY24 which will authorize the County's Insurance Broker (USI Southwest Inc.) to proceed with obtaining insurance policies based on their Liability Insurance Rate Proposal for Auto, Crime, Property, Special Events General, and Drone Insurance coverages in the amount of \$857,606 for premiums. Funding is available in GF-GADM-INS-GEN/PROPERTY. (Contract No. 2023-0702)

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

- K. Approve and authorize the County Judge to sign the First and Only Option to Renew Agreement between El Paso County and Flahive, Ogden & Latson (FO&L) for designated Austin representative services for workers' compensation. Funds are available in IS-WC-WORKERS COMP-ADMIN. (Contract No. 2023-0595)

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

- L. Approve and authorize the County Judge to sign the Texas Department of Insurance, Division of Workers' Compensation Self-Insured Governmental Entity Coverage Information Form to report proof of coverage information, pursuant to the Texas Labor Code for coverage year October 1, 2023, through September 30, 2024. There is no cost to the County.

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

- M. Approve and authorize the transfer of funds in the amount of \$32,917 to cover remaining recruitment pre-employment medical, drug, and psychological expenses from GF-HR-CONTR SVC-GEN to GF-HR-PROF SVC-GEN.

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

- N. Approve and authorize the County Judge to sign the Contract for the Recovery and Transportation of Deceased to the Office of the Medical Examiner with Legacy Mortuary Services of El Paso, LLC from October 1, 2023, through September 30, 2024 with two additional one-year options to renew. Funds are available in GF-MEDEXAM-CONTR SVC-GEN. (Contract No. 2023-0584)

Mario A. Rascon, M.D., Chief Medical Examiner, Office of the Medical Examiner (915) 532-1447

- O. Approve and authorize the County Judge to sign the Seventh Renewal of the Memorandum of Understanding between El Paso County on behalf of the Office of the Medical Examiner and Texas Tech University Health Science Center at El Paso/Southwest Brain Bank, for the period beginning October 1, 2023, through September 30, 2024. (Contract No. 2023-0655)

Mario A. Rascon, M.D., Chief Medical Examiner, Office of the Medical Examiner (915) 532-1447

- P. Approve and authorize the County Judge to sign the Memorandum of Understanding by and between the County of El Paso, Texas and Cathedral High School for use of the Ascarate Golf Course for students golf practice from August 15, 2023, through May 31, 2024, with a maximum of 10 students per day, Monday through Friday, with tournaments at a pay rate of \$2,750 and a per player rate of \$21 per tournament. Funds will be deposited in GF-GOLFCOURSE-GREEN FEES. (Contract No. 2023-0658)

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

- Q. Approve and authorize the County Judge to sign the Memorandum of Understanding by and between the County of El Paso, Texas and Loretto Academy for use of the Ascarate Golf Course for students golf practice from August 15, 2023, through May 31, 2024, with a maximum of 10 students per day, Monday through Friday, with tournaments at a pay rate of \$2,750 and a per player rate of \$21 per tournament. Funds will be deposited in GF-GOLFCOURSE-GREEN FEES. (Contract No. 2023-0678)

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

- R. Approve and accept the revision of Bill Burnett Unit One Subdivision to

be named Bill Burnett Unit One Replat A Subdivision pursuant to requirements of the Texas Local Government Code §232.041 (Revision of Plat); further, authorize the filing and recording of the subdivision plat.

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

- S. Approve and authorize the County Judge to sign the Release of Obligation for improvements located in The Village at Mission Ridge Unit 1 subdivision (Instrument No. 1098384). Further, accept the identified improvements into the County of El Paso Road System for maintenance.

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

- T. 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

- U. Approve and authorize the County Judge to sign the Right-of-Entry and License Agreement between the County of El Paso and Texas A&M Transportation Institute ("TTI") for purposes of installing, implementing, and maintaining an expansion of the Border Wait Time Measurement System. (Contract No. 2023-0713)

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

- V. Approve the As-Needed Purchase of Electrical Supplies for the County of El Paso using Region 19 Contract 22-7434 awarded to Border States Electric Supply (Border States Industries, Inc) (Chapman Metering) El Paso, Texas, CED-El Paso (Consolidated Electrical Distributors) El Paso, Texas, Copper State Bolt and Nut El Paso, Texas, Desert Electrical Supply, Inc. El Paso, Texas, and Summit Electric Supply El Paso, Texas. Discounts as indicated in tabulation. The County's yearly expenditure for goods listed under this contract is approximately \$250,000. Funding is available through various County accounts on an as-needed basis.

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

- W. Approve the As-Needed Purchases of Field and Turf Irrigation Products, Landscaping Products, Specialty Conditioners and Soils, Grounds Maintenance Equipment, Parts and Supplies for the County of El Paso using Buy Board Contract 705-23 and 706-23 awarded to Ewing Irrigation Products, Inc., of Phoenix, AZ and Helena Agri Enterprises, LLC of Schertz, TX. Discounts as identified in the cooperative contracts. The County's yearly expenditure for goods listed under this contract is approximately \$240,000. Funding is available in GF-COUNTYPARKS-OPS, EXPENSE-GEN, GF-ASCARATE-OPS EXPENSES-GEN, GF-GOLFCOURSE-OPS EXPENSES-GEN, GF-SPORTSPARK-OPS EXPENSES-GEN.

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

- X. Approve the purchase of County of El Paso Courthouse Employee Parking Enclosure using Buy Board Job Order Contract 581-19 awarded to Basic IDIQ, Inc. of El Paso, Texas for a grand total

\$269,476.66. Purchasing approved September 6, 2023. Funding available in CP-TN23B-RENOV-GARAGE SECURITY.

Karen L. Davidson, Purchasing Agent, Purchasing Department (915) 546-2109

- Y. Approve the purchase of Installation of Fiber Infrastructure at the El Paso County Ascarate Annex and Ascarate Park Located at 6900 Delta Drive (RQ12310317) using Region 19 Contract 23-7469 awarded to New IPS Inc. of El Paso, Texas in the amount of \$87,128.28. Purchasing approved September 6, 2023. Funding available in GF-ITD-CONTR-SVR-GEN.

Karen L. Davidson, Purchasing Agent, Purchasing Department (915) 546-2109

- Z. 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

- AA Approve and authorize the County Judge to sign the Standard Dishmachine Rental Agreements and Addendums with Ecolab Inc. for the Downtown Detention Facility (2023-0642) and the Jail Annex (2023-0643) for 60 month terms respectively, in the total amount of \$59,400. Funds are available in SR-COMINMPROF-CONTR SVC-GEN.

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

- AB GRANT - Approve and authorize the County Judge to sign the Drug Court Counseling Services Renewal Agreement for the 65th District Family Drug Court with Pinnacle Social Services LLC for individual assessments and substance abuse treatment from September 1, 2023, through September 1, 2025 in an amount not to exceed \$40,000 per year. Funding is available in SG-GFAMDRGC23-OPERATING EXP. (Contract No. 2023-0727)

Judge Yahara Lisa Gutierrez, 65th Family Drug Court (915) 546-2102

- AC GRANT AMENDMENT - Approve and authorize the County Judge sign the First Amendment to the Subrecipient Agreement between the County of El Paso and the United Way of El Paso County for El Paso United Community Resiliency Center – Emergency Rental Assistance (ERA 2) Program extending the term of the agreement through October 31, 2023. (Contract No. 2023-0700)

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

- AD GRANT AWARD - Approve and authorize the County Judge to electronically Docusign the FY 2024 Statewide Automated Victim Notification Service (SAVNS) Maintenance Grant contract (OAG C-01066) with the Office of the Texas Attorney General, for the 24-hour automated information and notification to victims of crime in El Paso County in the amount of \$30,285.26 for the term beginning September 1, 2023, through August 31, 2024. No County match is required. (Contract No. 2023-0723)

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

- AE GRANT - Approve and authorize the transition of two (2) Office Assistant, GS07 from DIMS grant account to the general fund, and further approve a transfer in the amount of \$56,000 from GF-GADM-

XFER OUT-GRANT MATCH to various GF-DA-SALARY- accounts to cover the month of September 1, 2023, through September 30, 2023.

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

AF.GRANT AMENDMENT - Approve and authorize the County Judge to sign Amendment 1 to the Texas Department of Transportation (TxDOT) FY2023 Congestion Mitigation and Air Quality (CMAQ) Non-Construction Advanced Funding Agreement (AFA), for the El Paso County Regional Transit Start-Up Assistance Off-System Project (CSJ No. 0924-06-613) to increase funding to \$3,284,283.20 with a County match of \$826,683.80. Funding is available in GF-REG TRANSIT23-GRANT MATCH. (Contract No. 2023-0693)

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

5. RESOLUTIONS

A. Approve and adopt a resolution declaring the week of September 18 - 24, 2023, as "Diaper Need Awareness Week," in El Paso County, Texas.

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

B. Approve and adopt a resolution declaring the week of September 17-23, 2023, as "Forensic Science Week" in El Paso County, Texas.

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

C. Approve and adopt a resolution congratulating and celebrating Chico's Tacos on its 70th Anniversary and commending the Mora Family for creating something uniquely El Paso.

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

D. Approve and adopt a resolution in recognition of the Harmony Science Academy Rocketry Students in El Paso County, Texas.

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

E. Approve and adopt a resolution recognizing the week of September 18-23, 2023 as "Constitution Week" in El Paso County, Texas.

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

F. Approve and adopt a resolution celebrating WWII Veteran, Mr. Ascension (Chon) Calderon, on his 100th birthday this past September 10, 2023.

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

6. PUBLIC COMMENT

COUNTY ADMINISTRATION

7. (Postponed 9/11/23) 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

8. Receive a presentation regarding the ongoing development of the El Paso County Major Capital Plan, including, but not limited to, project selections, performance objectives and outcomes, performance management, operational management, and corresponding financial planning and direction to County staff and consultants.

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

GRANT APPLICATIONS

Approve the submission of County grant applications as listed and described. If awarded, all grant award agreements will be brought back to the Commissioners Court for final acceptance and approval.

9. Approve and authorize the Public Works Department to apply for the FY22 Environmental Protection Agency, Community Projects Discretionary grant for the Northwest Area Sewer Connection Project, in the amount of \$791,000 from October 1, 2023, through August 31, 2025. A match in the amount of \$197,750 is required. Further, authorize the County Judge to sign all required forms. (Contract No. 2023-0714)

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

10. Approve and authorize the Public Works Department to apply for the FY22 Environmental Protection Agency, Community Projects Discretionary grant for the Northwest Drinking Water Project, in the amount of \$314,000 from October 1, 2023, through August 31, 2025. Further, approve and authorize the County Judge to sign all required forms. A match in the amount of \$78,500 is required. (Contract No. 2023-0718)

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

BUDGET AND FINANCE

11. Pursuant to the Texas Local Government Code § 111.067, conduct a Public Hearing on the proposed El Paso County budget for the fiscal year beginning October 1, 2023, and ending September 30, 2024.

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

12. Pursuant to Texas Local Government Code, § 111.068, approve and adopt the attached El Paso County annual operating budget for the fiscal year beginning October 1, 2023, and ending September 30, 2024.

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

13. EXECUTIVE SESSION

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

- A. Discuss findings regarding persons necessary in Executive Session.

County Attorney's Office (915) 546-2050

- B. Pursuant to Texas Local Government Code Section 551.074, discuss a personnel matter regarding the pending vacancy for Constable Precinct #1, Oscar Ugarte.

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

- C. Pursuant to Texas Government Code Sections 551.071 & 551.072, discuss legal rights and responsibilities regarding the County's response to the lifting of Title 42 and the corresponding deliberations about Real Property.

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

- D. Discuss the pending claim submitted by Omar Carrasco; County Attorney's file number 0107-23-LC, pursuant to Texas Government Code Section 551.071.

Daniela Chisolm, Assistant County Attorney, County Attorney's Office (915) 546-2040

- E. 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.

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

REGULAR SESSION

- 14. Discuss and take appropriate action regarding the pending vacancy for Oscar Ugarte, Constable Precinct # 1.

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

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

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