

**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, APRIL 15, 2024**

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

Tornillo ESC 19 Head Start program led the Commissioners Court in the Pledge of Allegiance and Texas Pledge.

3. INVOCATION

Receive an invocation from Father Michael Gallagher, S.J. of Jesuit Community Sacred Heart Parish.

4. CONSENT AGENDA

A. Approval of the Minutes of the regular meeting of April 8, 2024.
County Administration Department (915) 546-2215

B. 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) 273-3262

C. Approve amendment No.22 to the County of El Paso's 2023-2024 operating budget. This budgetary amendment will not increase or decrease the County of El Paso's 2022-2023 overall operating budget of \$618,294,786.57.
John Sarah, Director, Budget & Finance Department (915) 546-2262

D. Approve and authorize the Capital Improvement Interim Request for the replacement of Scott-Air-Pacs at the Downtown Detention Facility. Funding is available in CP-IMPROV01-CONTINGENCIES and GF-SODETEN-OPS EQUIPMENT. Further, approve the re-allocation of funding in the amount of \$252,386.88 from the CP-IMPROV01-CONTINGENCIES to CIP24-SODDF-CAP OUT-EQ NONCAP for the replacement of Scott-Air-Pacs at the Downtown Detention Facility.
John Sarah, Director, Budget & Finance Department (915) 546-2262

E. Approve and authorize the Animal Welfare Department to accept donations during Fiscal Year 2024, pursuant to Texas Local Government Code Section 81.032. Further, authorize the Animal Welfare Department to use some of the donations to provide private individuals or organizations supplemental resources for the lawful treatment of animals in El Paso County.
Crystal D. Reyes, Interim Director, Animal Welfare Department (915) 273-3470

F. Approve and authorize the County Judge to sign the Agreement between the County of El Paso and HappyFox, Inc. for the purchase of HappyFox Helpdesk, Chatbot, Live Chat, and Workflow Subscriptions. Funding is available in GF-ITD-MAINT/REPSOFTWARE for the total amount of \$41,536.80. (Contract No. 2024-0222)
Art Nevarez, Director, Information Technology Department (915) 255-0748

G. Approve and authorize the County Judge to sign the Agreement between the County of El Paso and Sequel Data Systems. Funding is available in GF-ITD-MAINT/REP HARDWARE for the total amount of \$15,464.88. (Contract No. 2024-0252)
Art Nevarez, Director, Information Technology Department (915) 255-0748

H. 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) 273-3330

I. **CORRECTION PER COUNTY ADMINISTRATION** - Approve and authorize the County Judge to sign the El Paso County Courthouse Judges Parking Garage Access Control Security and Surveillance System Installation **AGREEMENT** with PyroCom Systems, Inc. to install the Access Control Security Equipment in the Campbell Parking Garage 1st floor Area (Quote PYRO23-115-OPT 1 Rev 4). Funding in the amount of \$73,294.10 is available in CP-TN23B-RENOV-GARAGE SECURITY. (Contract No. 2024-0271)
Robin Sully, Facilities Director, Facilities Maintenance Department (915) 546-2009

J. Approve and authorize the County Judge to sign Work Order No. 5 On-Call Civil Engineering Contract with Moreno Cardenas, Inc. to perform the services as per the Risk and Resiliency Assessment Project for the EMWS (Pct. 1,3 & 4). Funding in the amount of \$99,847.00 is available in EP-EMONWATER-PROF SVC-GEN. (Contract No. 2024-0267)
Fernando Hernandez, Infrastructure Services Director, Public Works Department (915) 273-3330

K. Approve and authorize the purchase of Data Circuits County Wide for Ongoing Data Services through Information Technology Department using GSA Contract GS-35F-0426R awarded to Level 3 Telecom Holdings, LLC/Lumen Technologies of Broomfield, CO year total \$591,710.64 with associated monthly usage fees. Funding is available in GF-ITD-COMMUNIC-DATA. Purchasing approved on March 27, 2024.
Karen L. Davidson, Purchasing Agent, Purchasing Department (915) 273-3349

L. Approve and authorize the Sole Source purchase of Policy and Compliance Management Software for the El Paso County Sheriff's Department from PowerDMS, Inc. of El Segundo, CA in the grand total of \$98,378.73. Funds are available in GF-ITD-MAINT/REP-SOFTWARE. Pursuant to Texas Local Government Code Section 262.024 (a)(7)(A), as a sole source item, it is exempt from the provisions of the County Purchasing Act. Sole Source will be re-evaluated at time of new contract to ensure compliance with statute.

Karen L. Davidson, Purchasing Agent, Purchasing Department (915) 273-3349

M. **PULLED FOR DISCUSSION BY COMMISSIONER STOUT** - Approve and authorize the award of RFQ 24-013 State Lobbying Services for the County Administration Department for the El Paso County to the top scoring firm; Philips Uresti Meachum Partners dba Philips & Meachum, LLC of Austin, Texas. Purchasing approved on March 18, 2024. Funds are available in GF-GADM-CONTR SVC-LOBBYIST.

Karen L. Davidson, Purchasing Agent, Purchasing Department (915) 273-3349

N. Approve a Master List of previously approved Cooperative Contracts and Interlocal Agreements to be used by the Purchasing Department for the cooperative purchasing programs. To comply with recent external audit recommendations, an updated comprehensive Master List adding any new or individually approved cooperatives will be presented for approval.

Karen L. Davidson, Purchasing Agent, Purchasing Department (915) 273-3349

O. Approve and authorize the transfer and removal of surplus assets from the respective departments to the Purchasing Department in compliance with Texas Local Government Code Section 262.011(j). See attachment.

Karen L. Davidson, Purchasing Agent, Purchasing Department (915) 273-3349

P. Approve and accept the annual filing of the Continuing Education Certificate of Completion for Tax Assessor-Collector, Ruben P. Gonzalez; reporting period March 9, 2023, through March 8, 2024.

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

Q. Approve and authorize the County Judge to sign RTS Workstation Lease Agreement/Attachment D with the Texas Department of Motor Vehicles for one additional Registration and Title System (RTS) Workstation for the Full-Service Deputy Office El Paso Auto Reg & Titling, located at 10600 N. Loop, Ste G2, El Paso TX, El Paso, Texas 79927. There is no fiscal impact to the County. (Contract No. 2024-0300)

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

R. GRANT AWARD - Approve and authorize the County Judge to accept the FY23 Operation Stonegarden grant award for the Constable Precinct 1 from March 1, 2024, to February 28, 2025, in the amount of \$40,000. No cash match is required. (Contract No. 2024-0289)

Oscar Ugarte, Constable, Pct. 1 (915) 273-3058

S. GRANT AWARD - Approve and authorize the County Judge to accept the FY23 Operation Stonegarden grant award for the Constable Precinct 4 from March 1, 2024, to February 28, 2025, in the amount of \$40,000. No cash match is required. (Contract No. 2024-0298)

Luis Aguilar, Constable, Pct. 4 (915) 538-1622

MOTION: APPROVE

Motion by County Judge Samaniego
Seconded by Commissioner Leon

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

5. RESOLUTIONS

A. Approve and adopt a resolution recognizing April 14-20, 2024, as "National Animal Care and Control Association Week" 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

B. Approve and adopt a resolution recognizing April 14-20, 2024, as "Telecommunicators Week" in El Paso County, Texas.

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

MOTION: APPROVE

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

C. Approve and adopt a resolution recognizing April 19 as Education and Sharing Day in El Paso County, Texas.
Ricardo A. Samaniego, County Judge, County Judge's Office (915) 546-2098

MOTION: APPROVE

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

6. PUBLIC COMMENT

Elizabeth Crawford, concerned citizen, addressed the Commissioners Court and recognized the Passover Celebration in April, war in the Middle East, and abortion in the US, and read the story of Moses from Scripture and how God's providence saved Moses from infanticide.

Pedro Sera, concerned citizen, addressed the Commissioners Court regarding his pending case for reinstatement of services from Emergence Health Network was progressing and how his case is going into an appeal. He informed the Court that he feels he's being misled because he's given paperwork that he doesn't understand and asked the Court for some assistance with his appeal.

Maya Sanchez, concerned citizen and resident of San Elizario addressed the Commissioners Court regarding the various plans and studies for the Mission Trail going back to 1981 and how implementation of those plans has fallen short and how the roadway along the trail has businesses that detract from the image the Mission Trail should present, and how the new marketing efforts fall short by not acknowledging the previous data collected from other efforts.

7. PRESENTATION

A. Present a Certificate of Appreciation to Mary Elizabeth Glasheen Stevens for her time and service as the chair of the El Paso County Ethics Commission, from January 13, 2020, to April 12, 2024.
Betsy C. Keller, CM, Chief Administrator, County Administration (915) 546-2215

PRESENTATION RECEIVED

ITEMS PULLED FOR DISCUSSION FROM THE CONSENT AGENDA

4M. **PULLED FOR DISCUSSION BY COMMISSIONER STOUT** - Approve and authorize the award of RFQ 24-013 State Lobbying Services for the County Administration Department for the El Paso County to the top scoring firm; Philips Uresti Meachum Partners dba Philips & Meachum, LLC of Austin, Texas. Purchasing approved on March 18, 2024. Funds are available in GF-GADM-CONTR SVC-LOBBYIST.

Karen L. Davidson, Purchasing Agent, Purchasing Department (915) 273-3349

MOTION: APPROVE

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

EXECUTIVE SESSION

9E. Pursuant to Texas Government Code Section 551.071, discuss legal rights and responsibilities regarding SB 4 and other immigration and border enforcement actions by the State, County Attorney's File No. 0165-23-PL.
Bernardo R. Cruz, Assistant County Attorney, County Attorney's Office (915) 273-3247

MOTION: DELETE

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

9I. Pursuant to Texas Government Code Section 551.0725, discuss contract negotiations regarding a Chapter 381 agreement between Leo Marketing and El Paso County for the national and regional marketing of the Majestic Mission Trail.

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

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 THE DISCUSSION OF CONTRACT NEGOTIATIONS REGARDING A CHAPTER 381 AGREEMENT BETWEEN LEO MARKETING AND EL PASO COUNTY FOR THE NATIONAL AND REGIONAL MARKETING OF THE MAJESTIC MISSION TRAIL.

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

9H. Pursuant to Texas Government Code Section 551.0725, discuss contract negotiations regarding an amendment to the Facility Management Agreement between El Paso Sports Commission and El Paso County for the maintenance and operation of the El Paso County Coliseum. (Contract No. 2021-0406)

Melissa M. Carrillo, Director, County Operations (915) 546-2162

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 THE DISCUSSION OF CONTRACT NEGOTIATIONS REGARDING AN AMENDMENT TO THE FACILITY MANAGEMENT AGREEMENT BETWEEN EL PASO SPORTS COMMISSION AND EL PASO COUNTY FOR THE MAINTENANCE AND OPERATION OF THE EL PASO COUNTY COLISEUM. (CONTRACT NO. 2021-0406)

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

9. INTO EXECUTIVE SESSION AT 10:50 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 County Attorney JoAnne Bernal.
Betsy C. Keller, CM, Chief Administrator, County Administration Department (915) 546-2215

C. Pursuant to Texas Government Code Section 551.071, discuss legal rights and responsibilities regarding the VOTEC Software Maintenance, Warranty, and Support Agreement between El Paso County and VOTEC Corporation.
Erica Rosales Nigaglioni, Assistant County Attorney, County Attorney's Office (915) 273-3238

D. Pursuant to Texas Government Code Section 551.071, discuss and receive legal advice regarding the County's proposed cash assistance program and litigation styled the State of Texas v. Harris County, et al.
Eric J. Bauer, Assistant County Attorney, County Attorney's Office (915) 273-3238

F. Discuss the pending EEOC claim and potential litigation of Charge No. 453-2024-00267; County Attorney's file number 0172-23-EE, pursuant to Texas Government Code Section 551.071.
Jed Untereker, Assistant County Attorney, County Attorney's Office (915) 273-3247

G. Pursuant to Texas Government Code Sections 551.071 and 551.076, discuss and receive legal advice concerning the County's rights and responsibilities with respect to security within the County Jail and law enforcement actions by the State that impact El Paso County operations.
Carlos Madrid, Assistant County Attorney, County Attorney's Office (915) 538-2133

H. Pursuant to Texas Government Code Section 551.0725, discuss contract negotiations regarding an amendment to the Facility Management Agreement between El Paso Sports Commission and El Paso County for the maintenance and operation of the El Paso County Coliseum. (Contract No. 2021-0406)
Melissa M. Carrillo, Director, County Operations (915) 546-2162

I. Pursuant to Texas Government Code Section 551.0725, discuss contract negotiations regarding a Chapter 381 agreement between Leo Marketing and El Paso County for the national and regional marketing of the Majestic Mission Trail.

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

MEETING RECONVENED AT 12:39 P.M.

MEETING RECESSED AT 12:39 P.M.

MEETING RECONVENED AT 1:58 P.M.

9. INTO EXECUTIVE SESSION AT 1:59 P.M.

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

G. Pursuant to Texas Government Code Sections 551.071 and 551.076, discuss and receive legal advice concerning the County's rights and responsibilities with respect to security within the County Jail and law enforcement actions by the State that impact El Paso County operations.

Carlos Madrid, Assistant County Attorney, County Attorney's Office (915) 538-2133

MEETING RECONVENED AT 2:50 P.M.

COMMISSIONERS COURT

8. Receive an update on Marathon Permit 18897 from the County's outside counsel and take appropriate action, including but not limited to extending the contract with the outside counsel and the outside environmental expert. Further, discuss and take appropriate action pertaining to other Marathon federal permits.

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

MOTION: MOVE THE DISCUSSION OF ITEM #8 INTO EXECUTIVE SESSION PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.071.

Motion by Commissioner Leon

Members Voting Aye: Leon, Stout, Holguin, Coronado

Seconded by Commissioner Stout

Members Absent: Judge Samaniego

Members Voting Nay: None

9F. Discuss the pending EEOC claim and potential litigation of Charge No. 453-2024-00267; County Attorney's file number 0172-23-EE, pursuant to Texas Government Code Section 551.071.

Jed Untereker, Assistant County Attorney, County Attorney's Office (915) 273-3247

MOTION: DELETE

Motion by Commissioner Holguin

Members Voting Aye: Leon, Stout, Holguin, Coronado

Seconded by Commissioner Leon

Members Absent: Judge Samaniego

Members Voting Nay: None

12. Discuss and take appropriate action regarding legal rights and responsibilities regarding SB 4 and other immigration and border enforcement actions by the State, County Attorney's File No. 0165-23-PL.

Bernardo R. Cruz, Assistant County Attorney, County Attorney's Office (915) 273-3247

MOTION: DELETE

Motion by Commissioner Stout

Members Voting Aye: Leon, Stout, Holguin, Coronado

Seconded by Commissioner Leon

Members Absent: Judge Samaniego

Members Voting Nay: None

9. INTO EXECUTIVE SESSION AT 3:18 P.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 VOTEC Software Maintenance, Warranty, and Support Agreement between El Paso County and VOTEC Corporation.

Erica Rosales Nigaglioni, Assistant County Attorney, County Attorney's Office (915) 273-3238

D. Pursuant to Texas Government Code Section 551.071, discuss and receive legal advice regarding the County's proposed cash assistance program and litigation styled the State of Texas v. Harris County, et al.

Eric J. Bauer, Assistant County Attorney, County Attorney's Office (915) 273-3238

G. Pursuant to Texas Government Code Sections 551.071 and 551.076, discuss and receive legal advice concerning the County's rights and responsibilities with respect to security within the County Jail and law enforcement actions by the State that impact El Paso County operations.

Carlos Madrid, Assistant County Attorney, County Attorney's Office (915) 538-2133

H. Pursuant to Texas Government Code Section 551.0725, discuss contract negotiations regarding an amendment to the Facility Management Agreement between El Paso Sports Commission and El Paso County for the maintenance and operation of the El Paso County Coliseum. (Contract No. 2021-0406)

Melissa M. Carrillo, Director, County Operations (915) 546-2162

I. Pursuant to Texas Government Code Section 551.0725, discuss contract negotiations regarding a Chapter 381 agreement between Leo Marketing and El Paso County for the national and regional marketing of the Majestic Mission Trail.

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

8. Receive an update on Marathon Permit 18897 from the County's outside counsel and take appropriate action, including but not limited to extending the contract with the outside counsel and the outside environmental expert. Further, discuss and take appropriate action pertaining to other Marathon federal permits, **PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.071.**

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

REGULAR SESSION RECONVENED AT 5:26 P.M.

10. Discuss and take appropriate action regarding the pending vacancy for County Attorney JoAnne Bernal.
Betsy C. Keller, CM, Chief Administrator, County Administration Department (915) 546-2215

MOTION: ACCEPT THE RESIGNATION OF COUNTY ATTORNEY JOANNE BERNAL EFFECTIVE JUNE 7, 2024, AND DIRECT STAFF TO PREPARE AN ITEM FOR THE COURT'S CONSIDERATION TO APPOINT CHRISTINA SANCHEZ TO FULFILL THE REMAINDER OF THE TERM THROUGH DECEMBER 31, 2024.

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

11. Discuss and take appropriate action regarding the VOTEC Software Maintenance, Warranty, and Support Agreement between El Paso County and VOTEC Corporation. (Contract No. 2019-0737)

Erica Rosales Nigaglioni, Assistant County Attorney, County Attorney's Office (915) 273-3238

NO ACTION

**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
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**COMMISSIONERS COURT REGULAR MEETING MINUTES
MONDAY, APRIL 15, 2024**

MEETING ADJOURNED AT 5:30 P.M.

ATTEST:

DELIA BRIONES, COUNTY CLERK
EL PASO COUNTY, TEXAS

A handwritten signature in black ink that reads "Cesar O. Nava".

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

EXAMINED AND APPROVED BY ME THIS

22nd DAY OF April, 2024

A handwritten signature in blue ink that reads "Ricardo A. Samaniego".

COUNTY JUDGE RICARDO A. SAMANIEGO, PRESIDING

2024 APR 12 AM 9:08

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-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.

AGENDA

Regular Meeting, April 15, 2024 - 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 April 8, 2024.

County Administration Department (915) 546-2215

B. 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) 273-3262

C. Approve amendment No.22 to the County of El Paso's 2023-2024 operating budget. This budgetary amendment will not increase or decrease the County of El Paso's 2022-2023 overall operating budget of \$618,294,786.57.

John Sarah, Director, Budget & Finance Department (915) 546-2262

D. Approve and authorize the Capital Improvement Interim Request for the replacement of Scott-Air-Pacs at the Downtown Detention Facility. Funding is available in CP-IMPROV01-CONTINGENCIES and GF-SODETEN-OPS EQUIPMENT. Further, approve the re-allocation of funding in the amount of \$252,386.88 from the CP-IMPROV01-CONTINGENCIES to CIP24-SODDF-CAP OUT-EQ NONCAP for the replacement of Scott-Air-Pacs at the Downtown Detention Facility.

John Sarah, Director, Budget & Finance Department (915) 546-2262

E. Approve and authorize the Animal Welfare Department to accept

donations during Fiscal Year 2024, pursuant to Texas Local Government Code Section 81.032. Further, authorize the Animal Welfare Department to use some of the donations to provide private individuals or organizations supplemental resources for the lawful treatment of animals in El Paso County.

Crystal D. Reyes, Interim Director, Animal Welfare Department (915) 273-3470

- F. Approve and authorize the County Judge to sign the Agreement between the County of El Paso and HappyFox, Inc. for the purchase of HappyFox Helpdesk, Chatbot, Live Chat, and Workflow Subscriptions. Funding is available in GF-ITD-MAINT/REPSOFTWARE for the total amount of \$41,536.80. (Contract No. 2024-0222)

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- G. Approve and authorize the County Judge to sign the Agreement between the County of El Paso and Sequel Data Systems. Funding is available in GF-ITD-MAINT/REP HARDWARE for the total amount of \$15,464.88. (Contract No. 2024-0252)

Art Nevarez, Director, Information Technology Department (915) 255-0748

- H. 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) 273-3330

- I. Approve and authorize the County Judge to sign the El Paso County Courthouse Judges Parking Garage Access Control Security and Surveillance System Installation with PyroCom Systems, Inc. to install the Access Control Security Equipment in the Campbell Parking Garage 1st floor Area (Quote PYRO23-115-OPT 1 Rev 4). Funding in the amount of \$73,294.10 is available in CP-TN23B-RENOV-GARAGE SECURITY. (Contract No. 2024-0271)

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- J. Approve and authorize the County Judge to sign Work Order No. 5 On-Call Civil Engineering Contract with Moreno Cardenas, Inc. to perform the services as per the Risk and Resiliency Assessment Project for the EMWS (Pct. 1,3 & 4). Funding in the amount of \$99,847.00 is available in EP-EMONWATER-PROF SVC-GEN. (Contract No. 2024-0267)

Fernando Hernandez, Infrastructure Services Director, Public Works Department (915) 273-3330

- K. Approve and authorize the purchase of Data Circuits County Wide for Ongoing Data Services through Information Technology Department using GSA Contract GS-35F-0426R awarded to Level 3 Telecom Holdings, LLC/Lumen Technologies of Broomfield, CO year total \$591,710.64 with associated monthly usage fees. Funding is available in GF-ITD-COMMUNIC-DATA. Purchasing approved on March 27, 2024.

Karen L. Davidson, Purchasing Agent, Purchasing Department (915) 273-3349

- L. Approve and authorize the Sole Source purchase of Policy and Compliance Management Software for the El Paso County Sheriff's Department from PowerDMS, Inc. of El Segundo, CA in the grand total

of \$98,378.73. Funds are available in GF-ITD-MAINT/REP-SOFTWARE. Pursuant to Texas Local Government Code Section 262.024 (a)(7)(A), as a sole source item, it is exempt from the provisions of the County Purchasing Act. Sole Source will be re-evaluated at time of new contract to ensure compliance with statute.

Karen L. Davidson, Purchasing Agent, Purchasing Department (915) 273-3349

- M. Approve and authorize the award of RFQ 24-013 State Lobbying Services for the County Administration Department for the El Paso County to the top scoring firm; Philips Uresti Meachum Partners dba Philips & Meachum, LLC of Austin, Texas. Purchasing approved on March 18, 2024. Funds are available in GF-GADM-CONTR SVC-LOBBYIST.

Karen L. Davidson, Purchasing Agent, Purchasing Department (915) 273-3349

- N. Approve a Master List of previously approved Cooperative Contracts and Interlocal Agreements to be used by the Purchasing Department for the cooperative purchasing programs. To comply with recent external audit recommendations, an updated comprehensive Master List adding any new or individually approved cooperatives will be presented for approval.

Karen L. Davidson, Purchasing Agent, Purchasing Department (915) 273-3349

- O. Approve and authorize the transfer and removal of surplus assets from the respective departments to the Purchasing Department in compliance with Texas Local Government Code Section 262.011(j). See attachment.

Karen L. Davidson, Purchasing Agent, Purchasing Department (915) 273-3349

- P. Approve and accept the annual filing of the Continuing Education Certificate of Completion for Tax Assessor-Collector, Ruben P. Gonzalez; reporting period March 9, 2023, through March 8, 2024.

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

- Q. Approve and authorize the County Judge to sign RTS Workstation Lease Agreement/Attachment D with the Texas Department of Motor Vehicles for one additional Registration and Title System (RTS) Workstation for the Full-Service Deputy Office El Paso Auto Reg & Titling, located at 10600 N. Loop, Ste G2, El Paso TX, El Paso, Texas 79927. There is no fiscal impact to the County. (Contract No. 2024-0300)

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

- R. GRANT AWARD - Approve and authorize the County Judge to accept the FY23 Operation Stonegarden grant award for the Constable Precinct 1 from March 1, 2024, to February 28, 2025, in the amount of \$40,000. No cash match is required. (Contract No. 2024-0289)

Oscar Ugarte, Constable, Pct. 1 (915) 273-3058

- S. GRANT AWARD - Approve and authorize the County Judge to accept the FY23 Operation Stonegarden grant award for the Constable Precinct 4 from March 1, 2024, to February 28, 2025, in the amount of \$40,000. No cash match is required. (Contract No. 2024-0298)

Luis Aguilar, Constable, Pct. 4 (915) 538-1622

5. RESOLUTIONS

- A. Approve and adopt a resolution recognizing April 14-20, 2024, as "National Animal Care and Control Association Week" in El Paso County, Texas.

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

- B. Approve and adopt a resolution recognizing April 14-20, 2024, as "Telecommunicators Week" in El Paso County, Texas.

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

- C. Approve and adopt a resolution recognizing April 19 as Education and Sharing Day in El Paso County, Texas.

Ricardo A. Samaniego, County Judge, County Judge's Office (915) 546-2098

6. PUBLIC COMMENT

7. PRESENTATION

- A. Present a Certificate of Appreciation to Mary Elizabeth Glasheen Stevens for her time and service as the chair of the El Paso County Ethics Commission, from January 13, 2020, to April 12, 2024.

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

COMMISSIONERS COURT

8. Receive an update on Marathon Permit 18897 from the County's outside counsel and take appropriate action, including but not limited to extending the contract with the outside counsel and the outside environmental expert. Further, discuss and take appropriate action pertaining to other Marathon federal permits.

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

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 Local Government Code Section 551.074, discuss a personnel matter regarding the pending vacancy for County Attorney JoAnne Bernal.

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

- C. Pursuant to Texas Government Code Section 551.071, discuss legal rights and responsibilities regarding the VOTEC Software Maintenance, Warranty, and Support Agreement between El Paso County and VOTEC Corporation.

Erica Rosales Nigaglioni, Assistant County Attorney, County Attorney's Office (915) 273-3238

- D. Pursuant to Texas Government Code Section 551.071, discuss and receive legal advice regarding the County's proposed cash assistance program and litigation styled the State of Texas v. Harris County, et al.

Eric J. Bauer, Assistant County Attorney, County Attorney's Office (915) 273-3238

- E. Pursuant to Texas Government Code Section 551.071, discuss legal rights and responsibilities regarding SB 4 and other immigration and border enforcement actions by the State, County Attorney's File No. 0165-23-PL.

Bernardo R. Cruz, Assistant County Attorney, County Attorney's Office (915) 273-3247

- F. Discuss the pending EEOC claim and potential litigation of Charge No. 453-2024-00267; County Attorney's file number 0172-23-EE, pursuant to Texas Government Code Section 551.071.

Jed Untereker, Assistant County Attorney, County Attorney's Office (915) 273-3247

- G. Pursuant to Texas Government Code Sections 551.071 and 551.076, discuss and receive legal advice concerning the County's rights and responsibilities with respect to security within the County Jail and law enforcement actions by the State that impact El Paso County operations.

Carlos Madrid, Assistant County Attorney, County Attorney's Office (915) 538-2133

- H. Pursuant to Texas Government Code Section 551.0725, discuss contract negotiations regarding an amendment to the Facility Management Agreement between El Paso Sports Commission and El Paso County for the maintenance and operation of the El Paso County Coliseum. (Contract No. 2021-0406)

Melissa M. Carrillo, Director, County Operations (915) 546-2162

- I. Pursuant to Texas Government Code Section 551.0725, discuss contract negotiations regarding a Chapter 381 agreement between Leo Marketing and El Paso County for the national and regional marketing of the Majestic Mission Trail.

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

REGULAR SESSION

10. Discuss and take appropriate action regarding the pending vacancy for County Attorney JoAnne Bernal.

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

11. Discuss and take appropriate action regarding the VOTEC Software Maintenance, Warranty, and Support Agreement between El Paso County and VOTEC Corporation. (Contract No. 2019-0737)

Erica Rosales Nigaglioni, Assistant County Attorney, County Attorney's Office (915) 273-3238

12. Discuss and take appropriate action regarding legal rights and responsibilities regarding SB 4 and other immigration and border enforcement actions by the State, County Attorney's File No. 0165-23-PL.

Bernardo R. Cruz, Assistant County Attorney, County Attorney's Office (915) 273-3247

Erica Rosales Nigaglioni, Assistant County Attorney, County Attorney's Office (915) 273-3238

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IN MY OFFICE**

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**DELIA BRIONES
COUNTY CLERK
EL PASO COUNTY, TEXAS**

Bernardo R. Cruz, Assistant County Attorney, County Attorney's Office (915) 273-3247

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ADDENDUM TO THE AGENDA

13. Discuss and take appropriate action with respect to security within the

County Jail and law enforcement actions by the State that impact El Paso County operations.

Carlos Madrid, Assistant County Attorney, County Attorney's Office (915) 538-2133

Posted Friday, April 12, 2024, at 1:40 P.M.