

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

MINUTES

Regular Meeting, December 09, 2024 – 9:30 AM

Enrique Moreno County Courthouse
Judge Alicia R. Chacón County Commissioners Courtroom
500 East San Antonio Room 303 El Paso, Texas 79901

Website address: <http://www.epcounty.com>

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

Present: 5 – County Judge Ricardo Samaniego, Commissioner, Pct 1 Carlos Leon, Commissioner, Pct 2 David Stout, Commissioner, Pct 3 Iliana Holguin, Commissioner, Pct 4 Sergio Coronado

Absent: 0 –

1. OPEN MEETING

THE COMMISSIONERS COURT MEETING WAS CONVENED AT 9:39 A.M.

2. PLEDGE OF ALLEGIANCE

THE PLEDGE OF ALLEGIANCE AND THE TEXAS PLEDGE WERE LED BY MS. AGUIRRE'S 3RD GRADE CLASS FROM CAPISTRANO ELEMENTARY.

3. INVOCATION

COMMISSIONERS COURT RECEIVED AN INVOCATION FROM FATHER MICHAEL GALLAGHER.

4. CONSENT AGENDA

- A. Approval of the Minutes of the regular meeting of November 25, 2024.
Betsy C. Keller, Chief Administrator, County Administration, 915-273-3600
- B. Approve and authorize the County Judge to sign the Subrecipient Agreement between El Paso County and the El Paso County Hospital District d/b/a University Medical Center of El Paso ("UMC") for the County's management of the Pre-Disaster Mitigation Grant Program FY2024 on behalf of UMC, and for UMC's replacement of an emergency generator and adding solar capacity. (Contract No. 2024-0927)
Betsy C. Keller, Chief Administrator, County Administration, 915-273-3600
- C. Approve and authorize waiving the special event road closure application fee for the Fabens Christmas Parade.
Betsy C. Keller, Chief Administrator, County Administration, 915-273-3600
- D. Pursuant to Texas Government Code Section 552.0031 (Texas Public Information Act), designate December 23rd, December 26th, December 27th, and December 30th, 2024, as holidays and non-business days for El Paso County.
Erica Rosales-Nigaglioni, Assistant County Attorney, County Attorney's Office, 915-273-3247
- E. 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
- F. Approve and authorize the County Judge to sign the Amendment to the External Financial Auditing Services Agreement with Gibson Ruddock Patterson LLC for the increased cost due to the new GASB Reporting requirements in the amount of \$45,000. Funds are available in GF-GADM-PROF-SVC-EXT AUDIT. (Contract No. 2024-0998)
Barbara Parker, County Auditor, County Auditor's Office, 915-273-3262
- G. Approve and authorize the County Judge sign and execute the renewal agreement to Chilton Library and Gale Presents: Udemy, both offered by Cengage Learning, Inc., to expand the digital resources available for library patrons supporting diverse learning and informational needs for the period beginning January 1, 2025, through December 31, 2025. (Contract No. 2024-1013)
Irene Gutierrez, Executive Director, Community Services, 915-273-3485
- H. Approve and authorize the County Judge to sign the Uber for Government Dashboard Access Agreement and Addendum with Uber Technologies, Inc., on behalf of the El Paso County District Attorney's Office. There is no impact to the County. (Contract No. 2024-1006)
Bill D. Hicks, District Attorney, District Attorney's Office, 915-546-2059
- I. Approve claims and authorize for payment from the District Attorney Chapter 59 fund account, pursuant to Chapter 59.06 (d-1) (6) (B) of the Code of Criminal Procedures.
Bill D. Hicks, District Attorney, District Attorney's Office, 915-546-2059

- J. (ARPA-1162) Approve and authorize the County Judge to sign the Services Agreement with LJA Engineering, Inc. to provide comprehensive tourism and marketing services through the Boosting Tourism through Strategic Initiatives and Collaborations for the County of El Paso, from the date of signature through November 30, 2026, in the amount of \$252,900. Funds are available in SG-ARPLAN21-OPERATING EX. (Contract No. 2024-0971)
Roberto Ransom, Director, Economic Development, 915-546-2177

ITEM WAS PULLED FOR DISCUSSION BY COMMISSIONER HOLGUIN

- K. (ARPA-1162) Approve and authorize the County Judge to sign the Services Agreement with EFO Media to provide comprehensive tourism and marketing services through the Boosting Tourism through Strategic Initiatives and Collaborations for the County of El Paso, from the date of signature through November 30, 2026, in the amount of \$186,500. Funds are available in SG-ARPLAN21-OPERATING EX. (Contract No. 2024-0992)
Roberto Ransom, Director, Economic Development, 915-546-2177

ITEM WAS PULLED FOR DISCUSSION BY COMMISSIONER HOLGUIN

- L. (ARP-1161) Approve and authorize the County Judge to sign the Comprehensive Technical Assistance Training Program for Micro and Small Businesses across El Paso County, Texas Services Agreement with the El Paso Hispanic Chamber in the amount of \$1,000,000. Funds are available in SG-ARPLAN21-OPERATING EX. (Contract No. 2024-0999)
Roberto Ransom, Director, Economic Development, 915-546-2177

ITEM WAS PULLED FOR DISCUSSION BY COMMISSIONER LEON

Motion **APPROVE ITEMS #4J, #4K AND #4L.**

RESULT: Pass [5 TO 0]

MOVER: Iliana Holguin Commissioner, Pct 3

SECONDER: Carlos Leon Commissioner, Pct 1

AYES: Samaniego, Leon, Stout, Holguin, Coronado

NAYS: None

- M. Approve and authorize the County Judge to sign a Letter of Support to the National Park Service Save America's Treasures Grant for the City of Socorro's application for the Rio Vista Bracero Reception Center Rehabilitation Project. (6733-OP)
Roberto Ransom, Director, Economic Development, 915-546-2177

- N. Approve and authorize the County Judge to sign the Medicare Advantage Plan Group Agreement and supporting document with UnitedHealthcare Insurance Company for Medicare eligible County retirees and their dependents. Funding is available in IS-HEALTH-RET MED ADV PLAN FEE. (Contract No. 2024-0987)
Sam Trujillo, Interim Chief Human Resources Officer, Human Resources, 915-273-3520
- O. Approve and authorize the County Judge to sign the First Option to Renew Interlocal Agreement by and between El Paso County and the El Paso County Hospital District D/B/A University Medical Center of El Paso (UMCEP) for Onsite Employee Health Clinic Services from January 1, 2025, through December 31, 2025, in the estimated annual amount of \$746,928. Funds are available in IS-HEALTH-HEALTH/DENTAL CLAIMS. (Contract No. 2024-1016)
Sam Trujillo, Interim Chief Human Resources Officer, Human Resources, 915-273-3520
- P. Approve and authorize the County Judge to sign the Third Amendment to the Service Agreement between El Paso County and Nationwide Retirement Solutions Inc. for 457 deferred compensation plan services for a one year term ending December 31, 2025. (Contract No. 2024-1019)
Sam Trujillo, Interim Chief Human Resources Officer, Human Resources, 915-273-3520
- Q. Approve and authorize the purchase of Public Official Bonds for newly elected, re-elected, or appointed public officials as required by the Texas Government Code and Local Government Code effective January 1, 2025 and further approve and authorize the County Judge to sign any related documents associated with the purchase and/or implementation of the Public Official Bonds. Funding is available in various departmental PUBLIC OFFIC BOND (600306) accounts.
Sam Trujillo, Interim Chief Human Resources Officer, Human Resources, 915-273-3520
- R. Approve and authorize the County Judge to sign the agreement between the County of El Paso and TransUnion Risk & Alternative Data Solutions, Inc. to renew TLOxp software. Funding is available in GF-ITD-PUBSAFETY-MAINT/REP-SOFTWR for a total amount of \$16,800. (Contract No. 2024-0863)
Art Nevarez, Director, Information Technology, 915-273-3301
- S. Approve and authorize the County Judge to sign the agreement between the County of El Paso and Granicus, LLC (formerly Swagit Productions, LLC.) for Meeting Management Software and Video Streaming Services. Funding is available in GF-ITD-MAINT/REP-SOFTWARE for a total amount of \$136,906.43. (Contract No. 2024-0980)
Art Nevarez, Director, Information Technology, 915-273-3301
- T. Approve and authorize the County Judge to sign the Command Cloud Subscription Agreement between El Paso County, on behalf of the El Paso County Juvenile Probation Department and Codex Corporation d/b/a Guardian RFID for inmate management, monitoring, and tracking solutions from September 13, 2024, through September 30, 2027, in the amount of \$48, 326.62. Funds are available in GF-JUVDTN-MAINT/REP-SOFTWARE. (Contract No. 2024-0940)
Rosie Medina, Chief Officer, Juvenile Probation, 915-273-2036

- U. Approve amendment No. 52 to El Paso County's 2023-2024 operating budget. This budgetary amendment will increase Grants by \$980.11, thus increasing the overall budget of \$688,421,543.09 to \$688,422,523.20.
Melissa Carrillo, Executive Director, County Operations, 915-546-2162
- V. Approve amendment No. 53 to El Paso County's 2023-2024 operating budget. This budgetary amendment will increase Enterprise by \$17.00, increase Grants by \$12,563.96, thus increasing the overall budget of \$688,422,523.20 to \$688,435,104.16.
Melissa Carrillo, Executive Director, County Operations, 915-546-2162
- W. Approve amendment No. 07 to El Paso County's 2024-2025 operating budget. This budgetary amendment will increase Grants by \$1,092,800.60, thus increasing the overall budget of \$597,571,518.17 to \$598,664,318.77.
Melissa Carrillo, Executive Director, County Operations, 915-546-2162
- X. Approve amendment No. 8 to El Paso County's 2024-2025 operating budget. This budgetary amendment will increase Grants by \$147,004.73, thus increasing the overall budget of \$598,664,318.77 to \$598,811,323.50.
Melissa Carrillo, Executive Director, County Operations, 915-546-2162
- Y. Approve and authorize the County Judge to sign the Order Delegating Authority Relating to Grants, which delegates the El Paso County Budget and Finance Department, Grants Administration Division, the ability to sign official documents relating to grant applications and all related grant documents. (#5781-OP)
Melissa Carrillo, Executive Director, County Operations, 915-546-2162
- Z. Approve and authorize the County Judge to sign the required documents (Purchasers Statement) for the purchase of right-of-way acquisition of the required parcels for the project. Funding in the amount of \$228,000 will be used from Vehicle Registration Fee proceeds administered by the CRRMA. No County funds are required. (Contract No. 2024-0951) (Precinct 3)
Michael McElroy, Director, Planning and Development, 915-273-3330

CORRECTION PER THE PLANNING AND DEVELOPMENT DEPARTMENT – APPROVE AND AUTHORIZE THE COUNTY JUDGE TO SIGN THE REQUIRED DOCUMENTS (PURCHASERS STATEMENT) FOR THE PURCHASE OF RIGHT-OF-WAY ACQUISITION OF THE REQUIRED PARCELS FOR THE DARRINGTON ROAD PROJECT. FUNDING IN THE AMOUNT OF \$228,000 WILL BE USED FROM VEHICLE REGISTRATION FEE PROCEEDS ADMINISTERED BY THE CRRMA. NO COUNTY FUNDS ARE REQUIRED. (CONTRACT NO. 2024-0951) (PRECINCT 3)

- AA. Approve and accept the revision of Gateway Estates Unit One subdivision to be named Gateway Estates Unit One Replat L 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 and Development, 915-273-3330

- AB. 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, 915-273-3330
- AC. Approve and authorize a transfer in the amount of \$35,000 from GF-PWADMIN-CONTR SVC-GENERAL to GF-PWADMIN-OPS EXP-GENERAL for the purchase paint and other operating expenses.
Norma Rivera-Palacios, Executive Director, Public Works, 915-273-3330
- AD. Approve and authorize the purchase of SD-WAN Setup for Dedicated Internet Access for the County of El Paso using Region 19 Contract 22-7429 awarded to Conterra Ultra Broadband LLC (Conterra Ultra Broadband LLC) of Charlotte, NC for a monthly reoccurring rate of \$32,400; yearly \$388,800. Funding is available in GF-ITD-COMMUNIC-DATA. Purchasing approved on December 2, 2024.
Karen Davidson, Purchasing Agent, Purchasing, 915-273-3349
- AE. Approve and authorize the Single Source purchase of Historic Site Tourist Promotion and Preservation Services for the El Paso County, Texas awarded to San Elizario Genealogy and Historical Society (SEGHS), of San Elizario, TX, in the amount of \$112,477. Funds are available in SR-TOURPROM-LOS PORTALES. Pursuant to Texas Local Government Code Section 262.024 (c), as a single source item, it is exempt from the provisions of the County Purchasing Act. Single Source will be re-evaluated as required to ensure compliance with statute.
Karen Davidson, Purchasing Agent, Purchasing, 915-273-3349
- AF. Pursuant to Texas Local Government Code Section 262.024 (a), approve and authorize the use of a discretionary exemption to purchasing procedures to approve the after-the-fact emergency purchase of Postage and Mailout Services for the Ballot by Mail for the December 2024 Run-off Election for the El Paso County, TX to Runbeck Election Services, Inc. of Phoenix, AZ for postage in the amount of \$8,047.13 and mailout services in the amount of \$55,195 a total cost of \$63,242.13. Funding available in GF-ELECTIONS-ELECTIONS EXPENSE.
Karen Davidson, Purchasing Agent, Purchasing, 915-273-3349
- AG. Approve and authorize the Purchasing Agent to solicit proposals for Supervised Visits and Exchange Services for Families of Domestic Violence Services for El Paso County, Texas. In accordance with Local Government Code 262.030, the Purchasing Agent has reviewed use of the Requested for Proposal (RFP) process.
Karen Davidson, Purchasing Agent, Purchasing, 915-273-3349
- AH. 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 Davidson, Purchasing Agent, Purchasing, 915-273-3349

- AI. Approve and authorize the County Judge to sign the Interlocal Agreement between the City of El Paso, Texas and the County of El Paso for inmate ambulance transport from the County Jail to hospitals and provide basic and advance life support ambulance service from September 1, 2024, through August 31, 2025, and will automatically be extended for five (5) additional twelve-month periods. Funds are available in GF-SOJAILANNX-MEDICAL-GEN and GF-SODETEN-MEDICAL-GEN. (Contract No. 2024-1018)
Richard Wiles, Sheriff, EPCSO, (915) 538-2006
- AJ. Approve claims and authorize for payment from the Sheriff's Chapter 59 fund account, pursuant to Chapter 59.06 (d-1) (6) (B) of the Code of Criminal Procedures.
Richard Wiles, Sheriff, EPCSO, (915) 538-2006
- AK. Approve and adopt a Resolution Expressing Official Intent to Reimburse Costs of the 2024 Capital Improvement Bond Projects for El Paso County. No funding is required. (Contract No. 2024-1036)
Jose M. Landeros, Director, Strategic Capital Development, 915-546-2159
- AL. Accept the quarterly report from the El Paso County Hospital District.
R. Jacob Cintron, President & CEO, University Medical Center/EPCHD, 915-521-7600
- AM. GRANT AWARD - Approve and authorize the County Judge to sign the Texas Department of Transportation (TxDOT) Grant for Routine Airport Maintenance Program (RAMP) 2025 award for the Fabens Airport in the amount of \$111,111.11 with a County match of \$11,111.11. Funding is available in GF-RAMP-XFER OUT-GRANT MATCH. (Contract No. 2024-0902) (Precinct 3)
Michael McElroy, Director, Planning and Development, 915-273-3330
- AN. GRANT APPLICATION - Approve and authorize the Public Works Department to apply to the Texas Department of Agriculture for the Biosecurity Mitigation Response Program – FY25 Agricultural Development grant application in the amount of \$30,000. No County match is required. (Contract No. 2024-1033)
Norma Rivera-Palacios, Executive Director, Public Works, 915-273-3330

Motion APPROVE THE ITEMS ON THE CONSENT AGENDA WITH A CORRECTION TO ITEM #4Z. ITEM #4J AND #4K WERE PULLED FOR DISCUSSION BY COMMISSIONER HOLGUIN, AND ITEM #4L WAS PULLED FOR DISCUSSION BY COMMISSIONER LEON.

RESULT: Pass [4 TO 0]
MOVER: Ricardo Samaniego County Judge
SECONDER: Iliana Holguin Commissioner, Pct 3
AYES: Samaniego, Leon, Holguin, Coronado
NAYS: None
ABSENT: Stout

5. PUBLIC COMMENT

ELIZABETH CRAWFORD, CONCERNED CITIZEN, ADDRESSED THE COURT REGARDING CHILDLESSNESS DURING THE ADVENT SEASON.

PEDRO SERA, CONCERNED CITIZEN, ADDRESSED THE COURT REGARDING HIS CASE WITH EMERGENCE HEALTH NETWORK.

6. PRESENTATION

- A. Receive a presentation recognizing El Paso County as the “Leading the Way” Platinum Award recipient for the Aetna Wellbeing Award Program.
Sam Trujillo, Interim Chief Human Resources Officer, Human Resources, 915-273-3520

PRESENTATION RECEIVED

7. REGULAR AGENDA

- A. Receive a presentation and approve and authorize the County Judge to sign the First Extended and Amended Interlocal Agreement by and between El Paso County, Texas and Housing Opportunity Management Enterprises (HOME) for Operation in the County Area Through December 31, 2034. (Contract No. 2024-0972)
Joel Bishop, Chief Deputy County Administrator, Justice Support & Community Services, 915-546-2215

CORRECTION - RECEIVE A PRESENTATION AND APPROVE AND AUTHORIZE THE COUNTY JUDGE TO SIGN THE FIRST EXTENDED AND AMENDED INTERLOCAL AGREEMENT BY AND BETWEEN EL PASO COUNTY, TEXAS AND HOUSING OPPORTUNITY MANAGEMENT ENTERPRISES (HOME) FOR OPERATION IN THE COUNTY AREA BUT OUTSIDE THE LIMITS OF THE CITY OF EL PASO THROUGH DECEMBER 31, 2034. (CONTRACT NO. 2024-0972)

Motion **APPROVE**

RESULT: Pass [5 TO 0]

MOVER: Ricardo Samaniego County Judge

SECONDER: Carlos Leon Commissioner, Pct 1

AYES: Samaniego, Leon, Stout, Holguin, Coronado

NAYS: None

8. COUNTY ADMINISTRATION

- A. Receive a presentation from the Enterprise Justice Control Board regarding the progress of the board since its inception in July 2023.
Melissa Carrillo, Executive Director, County Operations, 915-546-2162

PRESENTATION RECEIVED

- B. Receive a presentation and discuss and take appropriate action regarding El Paso County's 89th Texas Legislative Session Agenda and legislative budget requests.
Melissa Carrillo, Executive Director, County Operations, 915-546-2162

Motion **APPROVE THE PRESENTATION AS PRESENTED ON STAFF'S SLIDES WITH THE ADDITION OF THE COLISEUM TO MAKE THE TOTAL LIST OF 10.**

RESULT: Pass [5 TO 0]

MOVER: David Stout Commissioner, Pct 2

SECONDER: Ricardo Samaniego County Judge

AYES: Samaniego, Leon, Stout, Holguin, Coronado

NAYS: None

Motion **APPROVE ADDING ITEM 12 AS PRESENTED ON THE SLIDES TO THE LIST OF LEGISLATIVE PRIORITIES FOR THE COUNTY.**

RESULT: Pass [5 TO 0]

MOVER: David Stout Commissioner, Pct 2

SECONDER: Ricardo Samaniego County Judge

AYES: Samaniego, Leon, Stout, Holguin, Coronado

NAYS: None

- C. Discuss and take appropriate action regarding the County sponsorship for the Chamber's El Paso Days event in 2025.
Melissa Carrillo, Executive Director, County Operations, 915-546-2162

Motion **POSTPONE ONE WEEK.**

RESULT: Pass [5 TO 0]

MOVER: Ricardo Samaniego County Judge

SECONDER: David Stout Commissioner, Pct 2

AYES: Samaniego, Leon, Stout, Holguin, Coronado

NAYS: None

- D. Receive a presentation on The Ferguson Group, LLC (TFG) and take appropriate action to approve and authorize the County Judge to sign the Third Amendment to the Ferguson Group Consulting Agreement for grant consultation services from January 1, 2025, through June 30, 2025, in the amount of \$60,000. Funds are available in GF-BDGTGRANTS-CONTR SVC-GEN. (Contract No. 2024-0932)
Melissa Carrillo, Executive Director, County Operations, 915-546-2162

Motion DENY THE THIRD AMENDMENT TO THE FERGUSON GROUP CONSULTING AGREEMENT FOR GRANT CONSULTATION SERVICES FROM JANUARY 1, 2025, THROUGH JUNE 30, 2025, IN THE AMOUNT OF \$60,000. FUNDS ARE AVAILABLE IN GF-BDGTGRANTS-CONTR SVC-GEN. (CONTRACT NO. 2024-0932)

RESULT: Pass [5 TO 0]
MOVER: Carlos Leon Commissioner, Pct 1
SECONDER: Ricardo Samaniego County Judge
AYES: Samaniego, Leon, Stout, Holguin, Coronado
NAYS: None

- E. Receive a presentation and discuss and take appropriate action to adopt the 2024 Prevailing Wage Survey.
Melissa Carrillo, Executive Director, County Operations, 915-546-2162

Motion APPROVE AND ADOPT THE 2024 PREVAILING WAGE RATES AND JOB DEFINITIONS AS PRESENTED FOR THE HEAVY AND HIGHWAY CONSTRUCTION CATEGORY.

APPROVE AND ADOPT THE 2024 PREVAILING WAGE RATES AND JOB DEFINITIONS AS PRESENTED FOR THE BUILDING CONSTRUCTION CATEGORY.

RESULT: Pass [5 TO 0]
MOVER: David Stout Commissioner, Pct 2
SECONDER: Iliana Holguin Commissioner, Pct 3
AYES: Samaniego, Leon, Stout, Holguin, Coronado
NAYS: None

COMMISSIONERS COURT RECESSED AT 12:37 P.M.

COMMISSIONERS COURT RECONVENED AT 1:59 P.M.

- F. Receive a presentation and discuss items regarding the development, implementation and oversight of the FY2024 Multiyear Capital Plan for El Paso County, including: project selections, performance objectives and outcomes, performance management, operational management, corresponding financial planning related to capital investments and operational needs, and general capital direction related to the 2024 Capital Improvement Bond and other debt financing instruments.

Jose M. Landeros, Director, Strategic Capital Development, 915-546-2159

Motion MOVE ITEM 8F INTO EXECUTIVE SESSION, PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.071 TO DISCUSS THE COUNTY'S LEGAL RIGHTS AND RESPONSIBILITIES PERTAINING TO THE DEVELOPMENT, IMPLEMENTATION AND OVERSIGHT OF THE FY2024 MULTIYEAR CAPITAL PLAN FOR EL PASO COUNTY, INCLUDING: PROJECT SELECTIONS, PERFORMANCE OBJECTIVES AND OUTCOMES, PERFORMANCE MANAGEMENT, OPERATIONAL MANAGEMENT, CORRESPONDING FINANCIAL PLANNING RELATED TO CAPITAL INVESTMENTS AND OPERATIONAL NEEDS, AND GENERAL CAPITAL DIRECTION RELATED TO THE 2024 CAPITAL IMPROVEMENT BOND AND OTHER DEBT FINANCING INSTRUMENTS.

RESULT: Pass [5 TO 0]

MOVER: Ricardo Samaniego County Judge

SECONDER: Carlos Leon Commissioner, Pct 1

AYES: Samaniego, Leon, Stout, Holguin, Coronado

NAYS: None

NO ACTION

9. AMERICAN RESCUE PLAN

- A. Discuss and take appropriate action regarding the implementation of the El Paso County American Rescue Plan Act Coronavirus State & Local Fiscal Recovery Funds Portfolio.

Jose M. Landeros, Director, Strategic Capital Development, 915-546-2159

Motion ▪ APPROVE AND AUTHORIZE THE RECOMMENDED REPROGRAMMING OF FUNDS TOTALING \$2,733,209.01M, AS PRESENTED HEREIN AND INCLUDED ON THE ATTACHED LISTING TO THIS AGENDA ITEM, BY 1) TRANSFERRING \$1,682,903.87 TO PROJECT 5030; AND 2) TRANSFERRING THE REMAINING \$1,050,305.14 TO PROJECT RESERVE-UNALLOCATED UNAPPROPRIATED FUND BALANCE. FURTHER, APPROVE AND AUTHORIZE THE TRANSFER OF FUNDS FROM ELIGIBLE FY2025 DEPARTMENT BUDGETS AS DESCRIBED IN THE PROJECT SCOPE OF WORK, IN THE AMOUNT OF \$1,682,903.87 TO ESTABLISH THE FY2025 RECOVERY PROGRAM BUDGET LINE ITEM FOR FURTHER PROGRAMMING BY THE COURT.

▪ APPROVE AND AUTHORIZE THE AMENDMENTS TO PROJECTS 1310: MICROWAVE LINK CONNECTIVITY; 5010: FY2024 LAW ENFORCEMENT SALARIES; AND 5030: FY2025 PROPERTY INSURANCE AS PRESENTED WITHIN THIS PRESENTATION.

▪ APPROVE AND AUTHORIZE THE CHIEF ADMINISTRATOR AND COUNTY AUDITOR, AND THEIR DESIGNEES, TO FACILITATE THE ADMINISTRATIVE

AMENDMENTS TO THE AMERICAN RESCUE PLAN ACT PORTFOLIO VIA TRANSFERS, PROJECT CLOSEOUTS, REPROGRAMMING AND OTHER RELATED ACTIONS WITHIN THE PORTFOLIO'S FUND. FURTHER, DIRECT THE CHIEF ADMINISTRATOR TO PLACE A REPORT OF ALL ADMINISTRATIVELY APPROVED ACTIONS AT THE EARLIEST AVAILABLE REGULAR MEETING OF THE COMMISSIONERS COURT IN JANUARY 2025.

RESULT: Pass [5 TO 0]

MOVER: Iliana Holguin Commissioner, Pct 3

SECONDER: Ricardo Samaniego County Judge

AYES: Samaniego, Leon, Stout, Holguin, Coronado

NAYS: None

10. PURCHASING

- A. Approve and authorize the purchase of M365 Microsoft Enterprise Agreement for El Paso County using DIR-CPO-5240 awarded to Zones LLC of Auburn, WA for a grand total of \$7,141,253.76, to include as-needed (true-up) licenses acquired throughout the term of the agreement, using pricing as indicated on the cooperative contract. Funding is available in GF-ITD-MAINT/REP-SOFTWARE. Purchasing approved on December 2, 2024.

Karen Davidson, Purchasing Agent, Purchasing, 915-273-3349

Motion **APPROVE**

RESULT: Pass [5 TO 0]

MOVER: Ricardo Samaniego County Judge

SECONDER: Carlos Leon Commissioner, Pct 1

AYES: Samaniego, Leon, Stout, Holguin, Coronado

NAYS: None

- B. Approve and authorize the purchase of El Paso County Detention Facility Interior Renovation Phase 1 and Phase 2 using Region 19 Job Order Contract (JOC) 24-7494 awarded to Jordan Foster Construction LLC of El Paso, Texas for Phase 1 in the amount of \$2,688,107.70 and Phase 2 in the amount of \$4,065,962.84 a grand total (Phase 1 and 2) of \$6,754,070.54. Purchasing approved on November 18, 2024. Funding is available in CP-TN23B-DDF-RENOV-PROCESSCTR.

Karen Davidson, Purchasing Agent, Purchasing, 915-273-3349

Motion APPROVE**RESULT:** Pass [5 TO 0]**MOVER:** Ricardo Samaniego County Judge**SECONDER:** Iliana Holguin Commissioner, Pct 3**AYES:** Samaniego, Leon, Stout, Holguin, Coronado**NAYS:** None

- C. Approve and authorize the purchase of Construction/Erection of a Pre-Fabricated Metal Building and Utility Connections at the Vinton Maintenance Facility for the El Paso County, TX using TIPS Job Order Contract (JOC) 23010402 awarded to Keystone GC LLC of El Paso, Texas for a total cost of \$1,585,008.00. Purchasing approved on November 25, 2024. Funding available in SG-ARPLAN21-CAP OUTLAYS.

Karen Davidson, Purchasing Agent, Purchasing, 915-273-3349

Motion APPROVE**RESULT:** Pass [4 TO 0]**MOVER:** Ricardo Samaniego County Judge**SECONDER:** Carlos Leon Commissioner, Pct 1**AYES:** Samaniego, Leon, Holguin, Coronado**NAYS:** None**ABSENT:** Stout

- D. Approve and authorize the award of RFQ 24-017 As Needed Architectural & Engineering Services for El Paso County, Texas to the top 11 scoring firms ASA Architects. P. C. of El Paso, TX; Carl Daniel Architects of El Paso, TX; Countryman & Co. Architecture of El Paso, TX; Exigo Architecture, LLC of El Paso, TX; GA Architecture, Inc. of El Paso, TX; in*Situ Architecture of El Paso, TX; MNK Architects of El Paso, TX; Mijares-Mora Architects, Inc. of El Paso, TX; Parkhill, Smith & Cooper, Inc. dba Parkhill of El Paso, TX; Stantec Consulting Services, Inc. of El Paso, TX; and Wilson & Company, Inc., Engineers & Architects of El Paso, TX. Purchasing approved on November 25, 2024. Funds are available in various accounts.

Karen Davidson, Purchasing Agent, Purchasing, 915-273-3349

Motion APPROVE**RESULT:** Pass [5 TO 0]**MOVER:** Ricardo Samaniego County Judge**SECONDER:** Iliana Holguin Commissioner, Pct 3**AYES:** Samaniego, Leon, Stout, Holguin, Coronado**NAYS:** None

11. AUDITOR

- A. Approve and authorize the County Judge to sign the fourth and final option to extend the External Financial Auditing Services Agreement with Gibson Ruddock Patterson LLC in the amount of \$227,125. Funding is available in GF-GADM-PROF SVC-EXT AUDIT. (Contract No. 2024-1024)

Barbara Parker, County Auditor, County Auditor's Office, 915-273-3262

Motion **APPROVE**

RESULT: Pass [5 TO 0]

MOVER: Carlos Leon Commissioner, Pct 1

SECONDER: Iliana Holguin Commissioner, Pct 3

AYES: Samaniego, Leon, Stout, Holguin, Coronado

NAYS: None

12. HUMAN RESOURCES

- A. Receive a presentation on the El Paso County's Facilities that have been fully and/or partially updated in 2023/2024 to meet the Texas Accessibility Standards (TAS) and the Americans with Disabilities Act (ADA).

Sam Trujillo, Interim Chief Human Resources Officer, Human Resources, 915-273-3520

PRESENTATION RECEIVED

- 13D. Pursuant to Texas Government Code Sections 551.071 and 551.0725, discuss legal rights and responsibilities and contract negotiations regarding the implementation and deployment of the Cotton Valley Connect Project funded by the US Department of Agriculture ReConnect Grant and Loan Program.

Erica Rosales-Nigaglioni, Assistant County Attorney, County Attorney's Office, 915-273-3247

- 13E. Pursuant to Texas Government Code Section 551.071 and 551.0725, discuss legal rights and responsibilities regarding the Interlocal Agreement Project Development Agreement for the Tornillo Guadalupe Port of Entry Study.

Claudia Aranda, Assistant County Attorney, County Attorney's Office, (915) 273-3238

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 THE IMPLEMENTATION AND DEPLOYMENT OF THE COTTON VALLEY CONNECT PROJECT FUNDED BY THE US DEPARTMENT OF AGRICULTURE RECONNECT GRANT AND LOAN PROGRAM (ITEM #13D) AND THE INTERLOCAL AGREEMENT PROJECT DEVELOPMENT AGREEMENT FOR THE TORNILLO GUADALUPE PORT OF ENTRY STUDY (ITEM #13E).**

RESULT: Pass [5 TO 0]

MOVER:	Iliana Holguin Commissioner, Pct 3
SECONDER:	Carlos Leon Commissioner, Pct 1
AYES:	Samaniego, Leon, Stout, Holguin, Coronado
NAYS:	None

- 13F. Pursuant to Texas Government Code Section 551.071, discuss legal rights and responsibilities pertaining to the Section 106 Review Process established by the National Historic Preservation Act (NHPA).

Claudia Aranda, Assistant County Attorney, County Attorney's Office, (915) 273-3238

- 13J. Discuss financial information and economic development negotiations received regarding Chapter 381 Agreements with Project Power, a private business prospect, pursuant to Texas Government Code Section 551.087.

Roberto Ransom, Director, Economic Development, 915-546-2177

Motion DELETE ITEMS #13F AND #13J

RESULT:	Pass [5 TO 0]
MOVER:	Iliana Holguin Commissioner, Pct 3
SECONDER:	Ricardo Samaniego County Judge
AYES:	Samaniego, Leon, Stout, Holguin, Coronado
NAYS:	None

COMMISSIONERS COURT RECESSED INTO EXECUTIVE SESSION AT 3:10 P.M.

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.

Betsy C. Keller, Chief Administrator, County Administration, 915-273-3600

- B. Pursuant to Texas Government Code Section 551.072, discuss the purchase, exchange, lease or value of real property located within the El Paso County Precinct 2.
Betsy C. Keller, Chief Administrator, County Administration, 915-273-3600
- C. Pursuant to Texas Government Code Section 551.071, discuss legal rights and responsibilities pertaining to the office of the Tax Assessor Collector.
Erica Rosales-Nigaglioni, Assistant County Attorney, County Attorney's Office, 915-273-3247
- D. Pursuant to Texas Government Code Sections 551.071 and 551.0725, discuss legal rights and responsibilities and contract negotiations regarding the implementation and deployment of the Cotton Valley Connect Project funded by the US Department of Agriculture ReConnect Grant and Loan Program.
Erica Rosales-Nigaglioni, Assistant County Attorney, County Attorney's Office, 915-273-3247
- E. Pursuant to Texas Government Code Section 551.071 and 551.0725, discuss legal rights and responsibilities regarding the Interlocal Agreement Project Development Agreement for the Tornillo Guadalupe Port of Entry Study.
Claudia Aranda, Assistant County Attorney, County Attorney's Office, (915) 273-3238
- F. Pursuant to Texas Government Code Section 551.071, discuss legal rights and responsibilities pertaining to the Section 106 Review Process established by the National Historic Preservation Act (NHPA).
Claudia Aranda, Assistant County Attorney, County Attorney's Office, (915) 273-3238

ITEM #13F WAS DELETED

- G. Pursuant to Texas Government Code Section 551.071, discuss El Paso County's litigation regarding the opioid epidemic and settlement offers from Defendant Kroger in the matter of Texas opioid multi-district litigation for the County in the matter of County of El Paso v. Purdue Pharma, L.P., et al; Cause No. 2018-76970; MDL PRETRIAL CAUSE NO. 2018-63587, in the 152nd District Court of Harris County, Texas; County Attorney's case number: 0244-17-PL.
Jed Untereker, Assistant County Attorney, County Attorney's Office, 915-273-3247
- H. Discuss litigation styled Alfonso Orona, Jr; Lovett & Murray, PC v. Claims Administrative Services Inc., and El Paso County; Cause No. 2024DCV4445; County Attorney case number: 0158-24-LD, pursuant to Texas Government Code Section 551.071.
Michael Gomez, Assistant County Attorney, County Attorney's Office, 915-273-3247
- I. Pursuant to Texas Government Code Section 551.071, discuss litigation styled Juana M. Avila v. El Paso County; Cause No. 2015-DCV-1531; County Attorney case number: 0098-15-LD.
Ian Kaplan, Assistant County Attorney, County Attorney's Office, 915-273-3247

- J. Discuss financial information and economic development negotiations received regarding Chapter 381 Agreements with Project Power, a private business prospect, pursuant to Texas Government Code Section 551.087.
Roberto Ransom, Director, Economic Development, 915-546-2177

ITEM #13J WAS DELETED

- K. Pursuant to Texas Government Code Section 551.087, discuss financial information and economic development negotiations received regarding a Chapter 381 Agreement with Project Salsa, a private business prospect.
Roberto Ransom, Director, Economic Development, 915-546-2177

14. REGULAR SESSION

COMMISSIONERS COURT RECONVENED AT 6:10 P.M.

- A. Discuss and take appropriate action on El Paso County's litigation regarding the opioid epidemic by authorizing the County Judge to execute the Settlement participation and release forms regarding settlement offers from Kroger in the matter of Texas opioid multi-district litigation for the County in the matter of County of El Paso v. Purdue Pharma, L.P., et al; Cause No. 2018-76970; MDL PRETRIAL CAUSE NO. 2018-63587, in the 152d District Court of Harris County, Texas; County Attorney's case number 0244-17-PL.
Jed Untereker, Assistant County Attorney, County Attorney's Office, 915-273-3247

Motion AUTHORIZE THE COUNTY JUDGE TO SIGN SETTLEMENT DOCUMENTS, INCLUDING THE SETTLEMENT PARTICIPATION AND RELEASE FORMS REGARDING THE SETTLEMENT OFFER FOR DEFENDANT KROGER COMPANY IN THE MATTER OF THE TEXAS OPIATE MULTI DISTRICT LITIGATION.

RESULT: Pass [5 TO 0]

MOVER: Ricardo Samaniego County Judge

SECONDER: Carlos Leon Commissioner, Pct 1

AYES: Samaniego, Leon, Stout, Holguin, Coronado

NAYS: None

- B. Discuss and take appropriate action regarding litigation styled Alfonso Orona, Jr; Lovett & Murray, PC v. Claims Administrative Services Inc., and El Paso County; Cause No. 2024DCV4445; County Attorney case number: 0158-24-LD.
Michael Gomez, Assistant County Attorney, County Attorney's Office, 915-273-3247

NO ACTION

- C. Discuss and take appropriate action regarding litigation styled Juana M. Avila v. El Paso County; Cause No. 2015-DCV-1531; County Attorney case number: 0098-15-LD.

Ian Kaplan, Assistant County Attorney, County Attorney's Office, 915-273-3247

NO ACTION

ADJOURN

THE COMMISSIONERS COURT MEETING ADJOURNED AT 6:31 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, December 09, 2024 MEETING ADJOURNED AT 6:31 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

_____ DAY OF _____, 2024

COUNTY JUDGE RICARDO A. SAMANIEGO, PRESIDING