

**MONDAY, OCTOBER 3, 2011
COMMISSIONERS COURT MET IN REGULAR MEETING
AT 9:31 A.M.
WITH THE FOLLOWING MEMBERS PRESENT**

**HON. VERONICA ESCOBAR, PRESIDING
ANNA PEREZ,
SERGIO LEWIS,
WILLIE GANDARA,
DANIEL R. HAGGERTY,**

**COUNTY JUDGE
COMMISSIONER, PCT. # 1
COMMISSIONER, PCT. # 2
COMMISSIONER, PCT. # 3
COMMISSIONER, PCT. # 4**

CESAR O. NAVA, DEPUTY CLERK

MEETING CONVENED

OCTOBER 3, 2011

MOTION # 1

On this day, Commissioners Court of El Paso County, Texas was called to order by the Deputy Clerk.

PLEDGE OF ALLEGIANCE

OCTOBER 3, 2011

MOTION # 2

On this day, Commissioners Court began with the Pledge of Allegiance.

**APPROVED – RESOLUTION DECLARING
“NATIONAL DOMESTIC VIOLENCE AWARENESS MONTH”**

OCTOBER 3, 2011

MOTION # 3 (Item # 1)

On this day, on motion of Commissioner Perez, seconded by Judge Escobar, it is the order of the Court to adopt a resolution declaring October 2011 as "National Domestic Violence Awareness Month" in El Paso County, Texas.

County Attorney, Joanne Bernal was present to receive the resolution.

VOTE: YES – Judge Escobar, Gandara, Perez, Haggerty
NOT PRESENT - Lewis

NO – None

**APPROVED – RESOLUTION PROCLAIMING
“BREAK THE SILENCE OF DOMESTIC VIOLENCE
IN THE COLONIAS CANDLELIGHT VIGIL DAY”**

OCTOBER 3, 2011

MOTION # 4 (Item # 2)

On this day, on motion of Commissioner Gandara, seconded by Judge Escobar, it is the order of the Court to adopt a resolution proclaiming October 3, 2011 as "Break the Silence of Domestic Violence in the Colonias Candlelight Vigil Day" and also the month of October 2011, as "Break the Silence Of Domestic Violence in the Colonias".

VOTE: YES – Judge Escobar, Gandara, Perez, Lewis, Haggerty

NO - None

**APPROVED – RESOLUTION DECLARING
“BREAST CANCER AWARENESS MONTH”**

OCTOBER 3, 2011

MOTION # 5 (Item # 3)

On this day, on motion of Commissioner Haggerty, seconded by Judge Escobar, it is the order of the Court to adopt a resolution declaring October 2011 as "Breast Cancer Awareness Month" in El Paso County, Texas.

VOTE: YES – Judge Escobar, Gandara, Perez, Lewis, Haggerty

NO -None

**APPROVED – RESOLUTION IN SUPPORT
OF “TOYS FOR TOTS” CHRISTMAS GIFT CAMPAIGN**

OCTOBER 3, 2011

MOTION # 6 (Item # 4)

On this day, on motion of Commissioner Haggerty, seconded by Judge Escobar, it is the order of the Court to adopt a resolution in support of the U.S. Marine Corps Reserve 2011 "Toys for Tots" Christmas gift campaign.

VOTE: YES – Judge Escobar, Gandara, Perez, Lewis, Haggerty

NO - None

APPROVED – COUNTY PARTICIPATION IN “TOYS FOR TOTS” PROGRAM

OCTOBER 3, 2011

MOTION # 7 (Item # 41)

On this day, on motion of Commissioner Haggerty, seconded by Commissioner Gandara, it is the order of the Court to authorize county employees to participate in the Marines "Toys for Tots" program to collect toys for the needy children of El Paso County from October 3, 2011 to December 24, 2011.

VOTE: YES – Judge Escobar, Gandara, Perez, Haggerty
NOT PRESENT – Lewis

NO – None

**APPROVED – DONATIONS FOR PRIZES
FOR “TOYS FOR TOTS” CAMPAIGN, AS CORRECTED**

OCTOBER 3, 2011

MOTION # 8 (Item # 12)

On this day, on motion of Commissioner Haggerty, seconded by Commissioner Gandara, it is the order of the Court pursuant to the Texas Local Government Code Section 81.032, approve and authorize the Office of Commissioner Precinct 4 to accept donations for prizes for the Toys for Tots Campaign from October 3rd until December 24th, 2011, as corrected.

VOTE: YES – Judge Escobar, Gandara, Perez, Lewis, Haggerty

NO - None

**APPROVED – RESOLUTION RECOGNIZING
“LAW ENFORCEMENT APPRECIATION DAY”**

OCTOBER 3, 2011

MOTION # 9 (Item # 5)

On this day, on motion of Commissioner Haggerty, seconded by Commissioner Perez, it is the order of the Court to adopt a resolution recognizing October 10, 2011 as "Law Enforcement Appreciation Day" in El Paso County, Texas.

VOTE: YES – Judge Escobar, Gandara, Perez, Lewis, Haggerty

NO - None

PUBLIC COMMENT

OCTOBER 3, 2011

MOTION # 10 (Item # 6)

On this day, the following persons appeared before Commissioners Court to offer public comment.

Melissa Moody addressed the Court regarding the “Buddy Walk” to promote acceptance and inclusion of people with Down Syndrome and a resolution for continued support for handicapped persons.

Jack Bradford, concerned citizen, regarding taxation from the Hospital District and the El Paso Community College.

Salvador Gomez, concerned citizen, regarding the Hospital District tax increase, time limits during public comment to be fair for all speakers, and freedom of speech.

PRESENTATION

OCTOBER 3, 2011

MOTION # 11 (Addendum # 1)

On this day, Commissioners Court received a presentation from Brightside Thinking regarding the new El Paso Mission Trail website.

**APPROVED - CONSENT AGENDA;
POSTPONED – DESIGN/BUILDER CONTRACT WITH SARATOGA HOMES INC.,
FOR RECONSTRUCTION OF NINE HOMES UNDER
COLONIA SELF HELP CENTER PROGRAM GRANT**

OCTOBER 3, 2011

MOTION # 12

On this day, on motion of Commissioner Haggerty, seconded by Commissioner Gandara, it is the order of the Court to approve the following Consent agenda items, and to postpone for two weeks Item # 25 to approve and authorize the County Judge to execute the Design/Builder contract with Saratoga Homes Inc., for the reconstruction of nine (9) homes under the Colonia Self Help Center Program Grant Contract No. 710013 funded by the Texas Department of Housing and Community Affairs.

7. Approval of the Minutes of the regular meetings of September 19, 2011 and September 26, 2011 and the special meetings of September 20, 2011 and September 22, 2011.

Submitted by: , County Clerk's Office

8. 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.

Submitted by: County Auditor Edward A. Dion, County Auditors Office

9. Pursuant to Texas Local Government Code, Section 154,007, copy attached, order that all money that otherwise would be deposited in a salary fund created under the Texas Local Government Code, chapter 154.042, be deposited in the County's general fund. Submitted by: County Auditor Edward A. Dion, County Auditors Office

10. Request approval and authorization for the County Judge to sign the Texas Comptroller Leadership Circle to recognize El Paso County as providing online financial transparency to the public.

Submitted by: County Auditor Edward A. Dion, County Auditors Office

11. Approve the Certificates of Plat Compliance (under Texas Local Government Code Section 232.028(a), as provided on the attached listing.

Submitted by: Public Works Director Ernesto Carrizal III, P.E., County Road and Bridge

13. Approve and authorize the County Judge to accept the Office of the Governor, Criminal Justice Division, El Paso County Family Drug Courts, DC-12-A10-23858-02 in the amount of \$89,131.00. No county match required.

Submitted by: Judge Yahara L. Gutierrez, 65th Judicial District Court

14. Judge Anchondo respectfully requests for the County Judge and County Commissioners to accept the CJD Grant that has been awarded to the DWI Drug Court Program in the amount of \$108.100 (No Match Required)

Submitted by: Judge Robert S. Anchondo, County Criminal Court at Law Number Two

15. Approve and authorize the County Judge to sign the Contract Service Agreements between El Paso County and an individual/service provider participating in the Border Prosecution Unit initiative (Grant #CH-10-A10-22837-01) from 09/01/2009 to 12/31/2011. The item has been reviewed and approved as to form by the El Paso County Attorney's Office (KK-11-434, KK-11-435, KK-11-436)

Submitted by: District Attorney Jaime Esparza, District Attorney's Office

16. Approve and authorize the transfer of attached equipment from the 65th District Court to Purchasing Dept. for disposal.

Submitted by: Office Manager Martha A. Banales, Council of Judges Adm.

17. Accept the report from the West Texas Community Supervision and Corrections Department for the Personal Recognizance Bond Program for August 2011.

Submitted by: Director Maggie Morales-Aina, West Texas Community Supervision and Corrections Department

18. Approve the County Purchasing Agents to dispose and to remove from the inventory the items purchased with County Funding or Donated, as listed in the attached document.

Submitted by: Director Maggie Morales-Aina, West Texas Community Supervision and Corrections Department

19. Approve and authorize the County Judge to sign the contract for residential services between El Paso County, on behalf of the El Paso County Juvenile Probation Department, and 4M Youth Services d/b/a Rockdale Regional Juvenile Justice Center. This contract is effective October 1, 2011 and shall continue until September 30, 2012. The agreement has been reviewed as to form by the County Attorney's Office: Contract #KK-11-451.

Submitted by: Chief Juvenile Probation Officer Roger Martinez, Juvenile Probation Department

20. Approve and authorize the County Judge to sign the contract for residential services between El Paso County, on behalf of the El Paso County Juvenile Probation Department, and Ever Change Youth and Family Services, Inc. d/b/a Ever Change, Inc. This contract is effective October 1, 2011 and shall continue until September 30, 2012. The agreement has been reviewed as to form by the County Attorney's Office: Contract #KK-11-450.

Submitted by: Chief Juvenile Probation Officer Roger Martinez, Juvenile Probation Department

21. Pursuant to Texas Local Government Code Section 81.032, authorize the acceptance of donations from the community, monetary as well as in-kind, to support Border Children's Mental Health Collaborative. The donations would be used for providing non-traditional services, trainings and training materials, hosting of mental health awareness events, family academies and graduations for Border Children's consumers and the general public, for fiscal year 2012.

Submitted by: Director Rita Ruelas, Border Children's Mental Health Collaborative

22. Approve and authorize the County Judge to sign a no cost extension of the term of a Subcontract for Services (KK-09-481) and (KK-11-071) with the El Paso Coalition for the Homeless to December 31, 2011.

Submitted by: Director Rosemary V. Neill, Family and Community Services

23. Approve and authorize the Department of Family and Community Services to submit an application for the Texans Feeding Texans: Home-Delivered Meal Grant Program through the Texas Department of Agriculture and authorize the County Judge to sign a Resolution Authorizing County Grant that certifies the County has made a grant to support its home-delivered meal program to homebound elderly or disabled persons and the authorization to sign any other required certification to submit the Resolution and the Application for funding.

Submitted by: Director Rosemary V. Neill, Family and Community Services

24. Approve and authorize the County Judge to sign an Amendment to a Service Agreement (KK-10-575) with TVP Non Profit Corporation that increases the payment from \$41,028 to \$48,328 and extends the term from August 31, 2011 to December 31, 2011 for the delivery of Homelessness Prevention and Rapid Re-Housing (HPRP) services.

Submitted by: Director Rosemary V. Neill, Family and Community Services

26. Approve and authorize the County of El Paso to adopt the Civil Rights plans as required under the Colonia Self Help Center Grant Program Contract No. 710013 funded by the Texas Department of Housing and Community Affairs and further authorize the County Judge to sign the forms as required

Submitted by: Director Rosemary V. Neill, Family and Community Services

27. Approve and authorize the Purchasing Agent to publish the Notices of Non-Discrimination as required under the Colonia Self Help Center Grant Program Contract No. 710013 funded by the Texas Department of Housing and Community Affairs.

Submitted by: Director Rosemary V. Neill, Family and Community Services

28. Approve and authorize the County to exercise its option to extend the initial term of the Concession Agreement By and Between the County of El Paso and the YMCA of El Paso for an additional year to September 30, 2012 and affirm the Court's instructions to the County Auditor to include as an appropriation in the next fiscal year sufficient funds to finance this agreement in an amount not to exceed \$164,604.

Submitted by: Interim Director Rosemary V. Neill , Park, Golf and Aquatics

30. Approve and authorize Park, Golf and Aquatics staff to modify its holiday automobile entry fee to charge golf course members with a current membership \$1, the regular weekend rate, while retaining the \$5 holiday charge for all others entering the park via automobile on the five holidays designated by Commissioners Court for the increased fee.

Submitted by: Interim Director Rosemary V. Neill, Park, Golf and Aquatics

31. Approve and authorize the transfer of one sofa (0055424) from the El Paso Bar Association, through the County Purchasing Department, to Council of Judges for use in the L106 conference room.

Submitted by: Administrative Support Manager Monique Aguilar, FMD

33. Approve and authorize the County Judge to sign the Change Order No. 5 for the renovations to J.P.D. The amount for this change order is \$19,596.69. Funds are available in Bond monies.

Submitted by: Public Works Director Ernesto Carrizal III, P.E., County Road and Bridge

34. Authorize the County Judge to sign the training agreement between Public Agency Training Council and the El Paso County Sheriff's Office/West Texas HIDTA Administration for training to be held February 6-8, 2012.

Submitted by: Director Travis B. Kuykendall, West Texas HITDA

35. At this time we respectfully request authorization and approval of Grant Award for Grant 1986005 Border Crime Initiative - Border Star in the amount of \$1,842,602.00 as approved by County Attorney's Office KK-11-464.

Submitted by: Commander Gomecindo Lopez, Sheriff's Office - Special Operations

36. Approve and authorize the County Judge to sign Grant Adjustment Notice (GAN) and the 2010 Terms and Conditions for the County of El Paso - Operation Stonegarden for Horizon Police Department in the amount of \$42,073.08 for a GAN total amount of \$999,657.64.

Submitted by: Sheriff Richard D. Wiles, EPCSO-Grants/Contracts

37. Approve and authorize to transfer unserviceable equipment for the Sheriff's Office Victim Services Unit to the County Purchasing Agent for disposal. All items have been approved by County Purchasing. Please see attachment.

Submitted by: Sheriff Richard Wiles, El Paso County Sheriff's Office

38. Approve and authorize to transfer unserviceable equipment for the Annex Jail Facility to the County Purchasing Agent for disposal. All items have been approved by County Purchasing. Please see attachment.

Submitted by: Sheriff Richard Wiles , El Paso County Sheriff's Office

39. PAYMENTS FOR INMATE MEDICAL SERVICES

a) \$63.82 (Medicaid rate) to William C. Foote, M.D. Funds are available in Account SHERIFFJAILA-6908.

Submitted by: Sheriff Richard Wiles, El Paso County Sheriff's Office

b) \$30.77 (Medicaid rate) to Keith R Johnson M.D. Funds are available in Account SHERIFFJAILA-6908.

Submitted by: Sheriff Richard Wiles, El Paso County Sheriff's Office

c) \$128.45 (Medicaid rate) to Murray M. Vann M.D. Funds are available in Account SHERIFFJAILA-6908.

Submitted by: Sheriff Richard Wiles, El Paso County Sheriff's Office

d) \$3,925.33 (Medicaid rate) to Border Medical Specialist. Funds are available in Account SHERIFFJAILA-6908.

Submitted by: Sheriff Richard Wiles, El Paso County Sheriff's Office

e) \$206.71 (Medicaid rate) to Cardiology Care Consultants. Funds are available in Account SHERIFFJAILA-6908.

Submitted by: Sheriff Richard Wiles, El Paso County Sheriff's Office

f) \$780.72 (Medicaid rate) to El Paso Pulmonary Assoc. Funds are available in Account SHERIFFJAILA-6908.

Submitted by: Sheriff Richard Wiles, El Paso County Sheriff's Office

g) \$8.46 (Medicaid rate) to Providence Imaging Consultants. Funds are available in Account SHERIFFJAILA-6908.

Submitted by: Sheriff Richard Wiles, El Paso County Sheriff's Office

h) \$50.73 (Medicaid rate) to Southwest Cardiovascular Inter. Funds are available in Account SHERIFFJAILA-6908.

Submitted by: Sheriff Richard Wiles, El Paso County Sheriff's Office

i) \$109.37 (Medicaid rate) to West Texas Radiology. Funds are available in Account SHERIFFJAILA-6908.

Submitted by: Sheriff Richard Wiles, El Paso County Sheriff's Office

VOTE: YES – Judge Escobar, Gandara, Perez, Lewis, Haggerty

NO - None

**APPROVED – GOLF PRO POLICIES AND JOB DESCRIPTION
FOR ASCARATE GOLF COURSE PROFESSIONAL**

OCTOBER 3, 2011

MOTION # 13 (Item # 29)

On this day, on motion of Commissioner Lewis, seconded by Commissioner Perez, it is the order of the Court to adopt the County of El Paso Golf Pro Policies that serve as an attachment to the Job Description for the Golf Professional position for Ascarate Golf Course, reflecting a grade of P-10 in the amended backup, effective in the fiscal year beginning October 2011.

VOTE: YES – Judge Escobar, Gandara, Perez, Lewis, Haggerty

NO - None

APPROVED – PROPOSED LAYOUTS FOR NORTHWEST ANNEX

OCTOBER 3, 2011

MOTION # 14 (Item # 32)

On this day, on motion of Commissioner Haggerty, seconded by Commissioner Perez, it is the order of the Court to approve and authorize the proposed layouts for the Northwest Annex and authorize the SMS Architects to proceed with the construction drawings.

VOTE: YES – Judge Escobar, Gandara, Perez, Lewis, Haggerty

NO - None

APPROVED – ALLOCATION OF FUNDING FOR PROJECT FUTURE

OCTOBER 3, 2011

MOTION # 15 (Addendum # 2)

On this day, on motion of Commissioner Perez, seconded by Commissioner Lewis, regarding the agenda item to discuss and take appropriate action regarding Project Future, a work and economic development initiative of the El Paso Women's Bar Association, it is the order of the Court to approve an allocation in the amount of \$10,000 from existing appropriations under the Human Resources Department Account 6761 – Contracted Services.

VOTE: YES – Judge Escobar, Gandara, Perez, Lewis, Haggerty

NO - None

PUBLIC HEARING

OCTOBER 3, 2011

MOTION # 16 (Item # 58)

On this day, on motion of Judge Escobar, seconded by Commissioner Lewis, it is the order of the Court that the meeting would recess to hold a public hearing.

On this day, County Judge Escobar announced that Commissioners Court would hold a public hearing, pursuant to Texas Local Government Code Sec. 118.025(g), conduct a public hearing to consider the adoption of a \$5.00 Records Archive Fee pursuant to Texas Local Government Code Sec. 118.025(b) for the County Clerk’s FY 2012 Records Management and Preservation Plan, as attached, to electronically back scan, index, and preserve maps and plat records and birth, death, and marriage records from the period 1866 to 1999. These records are currently in deteriorating microfilm and hard bound books which will be electronically scanned and then the books physically preserved.

The following persons offered public comment:

- Veronica Escobar, County Judge
- Carol Sagaribay, Chief Deputy, County Clerk’s Office
- Daniel R. Haggerty, Commissioner, Pct. 4
- Delia Briones, County Clerk
- Lee Shapleigh, Assistant County Attorney
- Jose Lopez, Jr., Assistant Purchasing Agent
- Wallace Hardgrove, Budget and Finance Manager, County Auditor’s Office
- Sergio Lewis, Commissioner, Pct. 2

VOTE: YES – Judge Escobar, Gandara, Perez, Lewis, Haggerty

NO - None

PUBLIC HEARING CLOSED

OCTOBER 3, 2011

MOTION # 17 (Item # 58)

On this day, there being no further public comment, on motion of Judge Escobar, seconded by Commissioner Gandara, it is the order of the Court to close the public hearing.

VOTE: YES - Judge Escobar, Gandara, Perez, Lewis, Haggerty

NO - None

**ADOPTED – RECORDS ARCHIVE FEE FOR COUNTY CLERK’S
RECORDS MANAGEMENT AND PRESERVATION PLAN**

OCTOBER 3, 2011

MOTION # 18 (Item # 42)

On this day, on motion of Commissioner Haggerty, seconded by Commissioner Gandara, it is the order of the Court to approve the adoption of a \$5.00 Records Archive Fee pursuant to Texas Local Government Code Sec. 118.025(b), to be effective on October 1, 2011, for the County Clerk’s FY 2012 Records Management and Preservation Plan, as attached, to electronically back scan, index, and preserve maps and plat records and birth, death, and marriage records from the period 1866 to 1999 and approve inclusion of the fee revenues and planned expenditures in the proposed budget for FY 2012.

VOTE: YES – Judge Escobar, Gandara, Perez, Lewis, Haggerty

NO - None

PUBLIC HEARING

OCTOBER 3, 2011

MOTION # 19 (Item # 59)

On this day, on motion of Judge Escobar, seconded by Commissioner Perez, it is the order of the Court that the meeting would recess to hold a public hearing.

On this day, County Judge Escobar announced that Commissioners Court would hold a public hearing, pursuant to Chapter 157, Subchapter F of the Texas Local Government Code, hold a public hearing to receive comments on the Summary Plan Description for the County's Health and Dental Plan. The Summary Plan Description was approved by the Risk Pool Board during their meeting on September 21, 2011 and reviewed by the County Attorney's Office. (KK-11-429)

The following persons offered public comment:

Betsy Keller, Human Resources Director

Sam Trujillo, Risk Manager, Human Resources Department

Daniel R. Haggerty, Commissioner, Pct. 4

Veronica Escobar, County Judge

VOTE: YES – Judge Escobar, Gandara, Perez, Haggerty

NO – None

NOT PRESENT - Lewis

PUBLIC HEARING CLOSED

OCTOBER 3, 2011

MOTION # 20 (Item # 59)

On this day, there being no further public comment, on motion of Judge Escobar, seconded by Commissioner Gandara, it is the order of the Court to close the public hearing.

VOTE: YES - Judge Escobar, Gandara, Perez, Lewis, Haggerty

NO - None

**APPROVED – SUMMARY PLAN DESCRIPTION
FOR COUNTY’S HEALTH AND DENTAL PLAN FOR 2012**

OCTOBER 3, 2011

MOTION # 21 (Item # 45)

On this day, on motion of Commissioner Haggerty, seconded by Commissioner Perez, it is the order of the Court to approve and authorize the Summary Plan Description for the County's Health and Dental Plan for 2012. The Summary Plan Description was approved by the Risk Pool Board during their meeting on September 21, 2011 and reviewed by the County Attorney's Office. (KK-11-429)

VOTE: YES – Judge Escobar, Gandara, Perez, Lewis, Haggerty

NO - None

**APPROVED – INCREASE TO CHANGE FUND
FOR TAX ASSESSOR-COLLECTOR’S OFFICE**

OCTOBER 3, 2011

MOTION # 22 (Item # 40)

On this day, on motion of Commissioner Haggerty, seconded by Commissioner Lewis, it is the order of the Court to authorize an increase of monies for the change fund to be distributed among the four (4) Tax Offices. Currently the Tax Office has \$10,900.00 for the change fund and are asking the Auditor's to increase that amount by \$3,500.00, bringing the total to \$14,400.00. Having these additional monies will enable us to operate more efficiently, save time and focus on other important matters.

VOTE: YES – Judge Escobar, Lewis, Haggerty
NOT PRESENT - Gandara

NO – Perez

**APPROVED – ENGINEERING CONSULTING SERVICES CONTRACT
FOR COLONIA REVOLUCION WATER PROJECT**

OCTOBER 3, 2011

MOTION # 23 (Addendum # 4)

On this day, on motion of Commissioner Haggerty, seconded by Commissioner Gandara, it is the order of the Court to authorize the County Judge to execute the necessary documents under kk-11-458 to have Parkhill Smith and Cooper perform engineering consulting services for the Colonia Revolucion water system project in compliance with USDA Rural Development requirements.

VOTE: YES – Judge Escobar, Gandara, Perez, Lewis, Haggerty

NO - None

**APPROVED – NOTICE OF ELECTION
FOR NOVEMBER CONSTITUTIONAL AMENDMENTS ELECTION**

OCTOBER 3, 2011

MOTION # 24 (Item # 43)

On this day, on motion of Commissioner Haggerty, seconded by Commissioner Gandara, it is the order of the Court to authorize County Judge to sign Notice of Election for the upcoming Constitutional Amendments Election to be held on November 8, 2011.

VOTE: YES – Judge Escobar, Gandara, Perez, Lewis, Haggerty

NO - None

**APPROVED – EARLY VOTING LOCATIONS AND POLLING PLACES
FOR NOVEMBER SPECIAL ELECTION**

OCTOBER 3, 2011

MOTION # 25 (Item # 44)

On this day, on motion of Commissioner Haggerty, seconded by Commissioner Lewis, it is the order of the Court to authorize Early Voting Locations, and Polling Places for the upcoming Special Election to be held on November 8, 2011. Early Voting will start on October 24, 2011 - November 4, 2011.

VOTE: YES – Judge Escobar, Gandara, Perez, Lewis, Haggerty

NO - None

**APPROVED – MEDICAL STOP LOSS PROPOSAL
WITH HCC LIFE INSURANCE COMPANY**

OCTOBER 3, 2011

MOTION # 26 (Item # 46)

On this day, on motion of Commissioner Haggerty, seconded by Commissioner Gandara, it is the order of the Court to approve Option # 1, and authorize the County Judge to sign the Medical Stop Loss Proposal which will authorize HCC Life Insurance Company to proceed with obtaining Stop Loss insurance for 2012. The Proposal has been reviewed by the County Attorney's Office and approved by the Risk Pool Board during their meeting on September 21, 2011.

VOTE: YES – Judge Escobar, Gandara, Perez, Lewis, Haggerty

NO - None

**APPROVED – TEXAS POLITICAL SUBDIVISION APPLICATION
FOR AUTO AND CRIME LIABILITY INSURANCE**

OCTOBER 3, 2011

MOTION # 27 (Item # 47)

On this day, on motion of Commissioner Haggerty, seconded by Commissioner Gandara, it is the order of the Court to authorize the County Judge to sign the Texas Political Subdivision application for Auto and Crime Liability Insurance.

VOTE: YES – Judge Escobar, Gandara, Perez, Lewis, Haggerty

NO - None

**APPROVED – LIABILITY INSURANCE RATE PROPOSAL
WITH WELLS FARGO INSURANCE**

OCTOBER 3, 2011

MOTION # 28 (Item # 48)

On this day, on motion of Commissioner Haggerty, seconded by Commissioner Perez, it is the order of the Court to authorize the County Judge to sign the Liability Insurance Rate Proposal which will authorize Wells Fargo Insurance to proceed with obtaining insurance policies based on their Liability Insurance Rate Proposal for Auto, Crime, Property, and Special Events General Liability Insurance. The individual policies will be brought back to the Commissioner's Court for approval.

VOTE: YES – Judge Escobar, Gandara, Perez, Lewis, Haggerty

NO – None

**POSTPONED – RESCINDED – HIRING FREEZE POLICY
ADOPTED ON APRIL 27, 2009;
POSTPONED – COUNTY HIRING FREEZE
AND PERSONNEL STAFFING REVIEW POLICY**

OCTOBER 3, 2011

MOTION # 29 (Items # 49, 50)

On this day, on motion of Commissioner Haggerty, seconded by Judge Escobar, it is the order of the Court to postpone for two weeks the following regular agenda items.

49. Rescind the hiring freeze policy that was adopted on April 27, 2009 (Addendum # 5, Motion #38) and most recently amended on March 28, 2011.

Submitted by: Director Betsy C. Keller, SPHR, Human Resources

50. Approve the County of El Paso Hiring Freeze and Personnel Staffing Review Policy for Fiscal Year 2012.

Submitted by: Director Betsy C. Keller, SPHR, Human Resources

VOTE: YES – Judge Escobar, Gandara, Perez, Lewis, Haggerty

NO - None

**BID AWARDED – CONSTRUCTION MATERIALS FOR WATER SERVICE
IN THE EL CONQUISTADOR AND LOURDES SUBDIVISIONS**

OCTOBER 3, 2011

MOTION # 30 (Item # 51)

On this day, on motion of Commissioner Gandara, seconded by Commissioner Haggerty, it is the order of the Court to award Bid No. 11-031, Construction Materials for Water Service in the El Conquistador & Lourdes Subdivisions, to HD Supply.

VOTE: YES – Judge Escobar, Gandara, Perez, Lewis, Haggerty

NO - None

**BID AWARDED – REPLACEMENT OF CARPET TILE ON THE 3RD
AND 9TH FLOORS OF THE COUNTY COURTHOUSE**

OCTOBER 3, 2011

MOTION # 31 (Item # 52)

On this day, on motion of Commissioner Gandara, seconded by Commissioner Perez, it is the order of the Court to award Bid No. 11-033, Replacement of Carpet Tile on the 3rd and 9th Floors of the County Courthouse, to LVR Carpet Center.

VOTE: YES – Judge Escobar, Gandara, Perez, Lewis, Haggerty

NO - None

**BID AWARDED – DESIGN OF ROADWAYS
IN CANUTILLO TOWNSITE AND WESTWAY**

OCTOBER 3, 2011

MOTION # 32 (Item # 53)

On this day, on motion of Commissioner Haggerty, seconded by Commissioner Gandara, it is the order of the Court to award Bid No. 11-035, Design of Roadways in Canutillo Townsite and Westway; for Base Bid No. 1 and Base Bid No. 2 and Alternates 1 through 7, to Allied Paving Co.

VOTE: YES – Gandara, Perez, Lewis, Haggerty
NOT PRESENT – Judge Escobar

NO – None

**BID AWARDED – NETWORK DATA SYSTEM EQUIPMENT AND MATERIALS
FOR JUVENILE JUSTICE CENTER PROJECT**

OCTOBER 3, 2011

MOTION # 33 (Item # 54)

On this day, on motion of Commissioner Haggerty, seconded by Commissioner Gandara, it is the order of the Court to award Bid No. 11-038, Network Data System Equipment and Materials for Juvenile Justice Center Project, to NetSync Network Solutions.

VOTE: YES – Gandara, Perez, Lewis, Haggerty
NOT PRESENT – Judge Escobar

NO – None

SUBDIVISION APPROVAL – SPARKS ADDITION UNIT 2, REPLAT H

OCTOBER 3, 2011

MOTION # 34 (Item # 61a)

On this day, on motion of Commissioner Gandara, seconded by Commissioner Haggerty, it is the order of the Court to approve SPARKS ADDITION UNIT 2, REPLAT H, being all of Lot 19, Block 27, Sparks Addition Unit 2, El Paso County, TX, containing 0.32 acres.

VOTE: YES – Judge Escobar, Gandara, Lewis, Haggerty
NOT PRESENT - Perez

NO – None

**POSTPONED – INTERLOCAL AGREEMENTS
FOR SEWER FACILITY SERVICING PORT OF ENTRY**

OCTOBER 3, 2011

MOTION # 35 (Item # 55)

On this day, on motion of Judge Escobar, seconded by Commissioner Haggerty, it is the order of the Court to postpone for two weeks the agenda item to discuss and take appropriate action regarding entering into one or more Interlocal Agreements between El Paso County Tornillo Water Improvement District, Lower Valley Water District, and El Paso County for a sewer facility to serve the Tornillo-Guadalupe Port of Entry area.

VOTE: YES – Judge Escobar, Gandara, Lewis, Haggerty
NOT PRESENT - Perez

NO – None

PUBLIC HEARING

OCTOBER 3, 2011

MOTION # 36 (Item # 60)

On this day, on motion of Judge Escobar, seconded by Commissioner Haggerty, it is the order of the Court that the meeting would recess to hold a public hearing.

On this day, County Judge Escobar announced that Commissioners Court would hold a public hearing, pursuant to the Texas Local Government Code, Section 111.038 (a), copy attached, conduct a public hearing on the proposed El Paso County budget for the fiscal year beginning October 1, 2011 and ending September 30, 2012, as corrected.

The following persons offered public comment:

Veronica Escobar, County Judge

Edward Dion, County Auditor

Daniel R. Haggerty, Commissioner Pct. 4

VOTE: YES – Judge Escobar, Gandara, Lewis, Haggerty
NOT PRESENT - Perez

NO – None

PUBLIC HEARING CLOSED

OCTOBER 3, 2011

MOTION # 37 (Item # 60)

On this day, there being no further public comment regarding the proposed County Budget for Fiscal Year 2011-2012, on motion of Judge Escobar, seconded by Commissioner Perez, it is the order of the Court to close the public hearing.

VOTE: YES – Judge Escobar, Gandara, Perez, Lewis, Haggerty

NO - None

**ADOPTED – COUNTY OF EL PASO ANNUAL OPERATING BUDGET
FOR FISCAL YEAR 2011-2012, AS CORRECTED**

OCTOBER 3, 2011

MOTION # 38 (Item # 56)

On this day, on motion of Commissioner Haggerty, seconded by Commissioner Lewis, it is the order of the Court, pursuant to the Texas Local Government Code, Section 111.039, copy attached, approve and adopt the attached County of El Paso annual operation budget for the fiscal year beginning October 1, 2011 and ending September 30, 2012, as corrected, including adjustments presented by the County Auditor and approved by the Commissioners Court, to include a reduction to the special revenue fund in the amount of \$19,000 for the reduction to the Court Reporter fund.

The total budget, with adjustments, is \$262,247,887. The General Fund budget is \$214,260,168

VOTE: YES – Judge Escobar, Gandara, Perez, Lewis, Haggerty

NO - None

NO ACTION – SPECIAL MEETING OF COMMISSIONERS COURT

OCTOBER 3, 2011

MOTION # 39 (Item # 57)

On this day, Commissioners Court took no formal action on the agenda item to discuss and take action to schedule a special meeting of Commissioners Court per the Court Order of January 31, 2005, Motion No. 20, Item No. 29, as follows: Further, it is the order of the Court that a standing item be placed on every agenda of each Commissioners Court meeting occurring on the Monday a week before a holiday which falls on Monday, calling for a special meeting if necessary the following week, on a date to be chosen.

NO ACTION

EXECUTIVE SESSION

OCTOBER 3, 2011

**MOTION # 40 (Item # 62,
Addendum # 3)**

On this day, the Deputy Clerk announced that Commissioners Court would recess into executive session to discuss the following items, pursuant to Texas Government Code §551. The Court would reconvene to take official action.

a) Discuss the pending litigation regarding David Gutierrez vs. Robert Parker White and County of El Paso; Cause No. 2009-3184; County Attorney file no. LD-09-082; pursuant to Texas Government Code Section 551.071.

Submitted by: Assistant County Attorney Omar Villa, County Attorneys Office

b) Discuss the pending claim involving Big League Dreams; County Attorney number PC-10-021; pursuant to Texas Government Code Section 551.071.

Submitted by: Assistant County Attorney Omar Villa, County Attorney's Office

c) Discuss the pending litigation regarding Andres Von Twistern; County Attorney number LD-10-145; pursuant to Texas Government Code Section 551.071.

Submitted by: Assistant County Attorney Omar Villa, County Attorneys Office

d) Discuss the pending claim of James and Phyllis Strathmann; County Attorney file no. LC-11-053; pursuant to Texas Government Code Section 551.071.

Submitted by: Assistant County Attorney Omar Villa, County Attorneys Office

e) Discuss the pending litigation of State of Texas vs. Ronald D. Danelz; Cause No. 2001-DCV-00275; County Attorney number LD-11-101; pursuant to Texas Government Code Section 5510.071.

Submitted by: Assistant County Attorney Omar Villa, County Attorneys Office

f) Discuss potential litigation regarding tax refund to refineries; County Attorney file no. PL-11-005; pursuant to Texas Government Code Section 551.071.
Submitted by: Assistant County Attorney Ralph E. Girvin, County Attorneys Office

3. Executive Session: Discuss the pending litigation entitled Juan Antonio Ortegon vs. The County of El Paso, et al.; Cause No. 2010-3031; County Attorney number LD-10-096; pursuant to Texas Government Code Section 551.071.
Submitted by: Assistant County Attorney Kitty Schild, County Attorneys Office

The Court recessed at 12:43 p.m.

MEETING RECONVENED

OCTOBER 3, 2011

MOTION # 41

On this day, Commissioners Court reconvened into regular open session following executive session at 1:28 p.m.

JUDGE ESCOBAR AND COMMISSIONER WILLIE GANDARA
WERE ABSENT FROM THIS POINT
THROUGH THE REMAINDER OF THE MEETING

**APPROVED – COUNTY NOT TO OBJECT TO STATE OF TEXAS
CONDEMNATION PROCEEDINGS REGARDING
STATE OF TEXAS VS. RONALD D. DANELZ;
CAUSE NO. 2011-DCV-00275; COUNTY ATTORNEY FILE NO. LD-11-101**

OCTOBER 3, 2011

MOTION # 42 (Item # 63)

On this day, on motion of Commissioner Haggerty, seconded by Commissioner Perez, it is the order of the Court not to object to State of Texas condemnation proceedings regarding the pending litigation entitled State of Texas vs. Ronald D. Danelz; Cause No. 2011-DCV-00275; County Attorney file no. LD-11-101.

VOTE: YES – Perez, Lewis, Haggerty

NO - None

POSTPONED – EXECUTIVE SESSION AGENDA ITEM

OCTOBER 3, 2011

MOTION # 43 (Item # 62d)

On this day, on motion of commissioner Haggerty, seconded by Commissioner Lewis, it is the order of the Court to postpone for two weeks the following executive session agenda item.

62d) Discuss the pending claim of James and Phyllis Strathmann; County Attorney file no. LC-11-053; pursuant to Texas Government Code Section 551.071.

Submitted by: Assistant County Attorney Omar Villa, County Attorneys Office

VOTE: YES – Perez, Lewis, Haggerty

NO - None

MEETING ADJOURNED

OCTOBER 3, 2011

MOTION # 44

On this day, there being no further business to discuss, the meeting was adjourned at 1:31 p.m.

MEETING ADJOURNED - SINE DIE

ATTEST:

DELIA BRIONES, COUNTY CLERK
EL PASO COUNTY, TEXAS

CESAR O. NAVA, DEPUTY CLERK

EXAMINED AND APPROVED BY ME THIS:

_____ DAY OF _____, 2011.

COUNTY JUDGE VERONICA ESCOBAR, PRESIDING