

**MONDAY, DECEMBER 5, 2011  
COMMISSIONERS COURT MET IN REGULAR MEETING  
AT 9:34 A.M.  
WITH THE FOLLOWING MEMBERS PRESENT**

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

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

**WILLIE GANDARA, COMMISSIONER, PCT. # 3 - ABSENT**

**CESAR O. NAVA, DEPUTY CLERK**

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**MEETING CONVENED**

**DECEMBER 5, 2011**

**MOTION # 1**

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

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**PLEDGE OF ALLEGIANCE**

**DECEMBER 5, 2011**

**MOTION # 2**

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

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**APPROVED – RESOLUTION RECOGNIZING  
“GREATER EL PASO STAR FOOTBALL SHOWCASE WEEK”**

**DECEMBER 5, 2011**

**MOTION # 3 (Item # 1)**

On this day, on motion of Commissioner Haggerty, seconded by Judge Escobar, it is the order of the Court to adopt a resolution recognizing December 12th - 17th, 2011 as "Greater El Paso Star Football Showcase Week" in El Paso County, Texas.

Laura Price was present to receive the resolution.

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

**NO - None**

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## **PUBLIC COMMENT**

**DECEMBER 5, 2011**

**MOTION # 4 (Item # 2)**

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

Jack Bradford, concerned citizen, regarding water damage to the 12<sup>th</sup> floor Law Library and book collections, and also welcoming back Commissioner Daniel R. Haggerty.

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## **APPROVED – CONSENT AGENDA**

**DECEMBER 5, 2011**

**MOTION # 5**

On this day, on motion of Commissioner Haggerty, seconded by Commissioner Perez, it is the order of the Court to approve the following Consent Agenda items, including a correction to Item # 12.

3. Approval of the Minutes of the regular meeting of November 28, 2011 and the special meetings of September 12, 2011; September 22, 2011; October 27, 2011; October 28, 2011; and November 10, 2011.

Submitted by: , County Clerk's Office

4. 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

5. Approve amendment No. 7 to the County of El Paso's 2011-2012 operating budget. This budgetary amendment will increase Grants by \$168,165.00, thus increasing the overall operating budget of \$267,677,862.04 to \$267,846,027.04

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

6. Approve and authorize payment in the amount of \$2,100 for annual membership dues to the County Judges and Commissioners Association for FY 2011. Funds are available in GADMINGF-6021.

Submitted by: County Judge Veronica Escobar, Commissioners Court

7. Approve and authorize the removal from inventory and transfer of a fax machine (Canon #100867) from the Office of the County Judge to the Purchasing Department.

Submitted by: County Judge Veronica Escobar, Commissioners Court

8. Approve and authorize the County Judge to sign the Contract Service Agreements between El Paso County and service providers participating in the Border Prosecution Unit initiative (Grant #CH-10-A10-22837-01) from 09/01/2009 to 12/31/2011. The items have been reviewed and approved as to form by the El Paso County Attorney's Office (KK-11-549 & KK-11-550).

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

9. Approve and authorize the removal of unserviceable equipment from the Family and Community Services inventory for disposal.

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

10. Approve the Staffing Review Committee's recommendation to approve the reclassification of one vacant Vehicle Title Clerk, Intermediate position (pay grade G11) to an Office Specialist, Intermediate position (pay grade G10) for the Tax Office, which results in an annual budget savings of \$1,116.

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

11. Approve the reclassification of the grant funded Human Services Transportation Coordinator position pay grade P-8, (incumbent is at step 5) to pay grade P-9 due to additional duties added to the job description and additional funding provided by the grant for the added duties and classification to be effective 12/11/2011. There is no general fund budget impact.

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

12. Approve and authorize the County Judge to sign the license agreement and addendum for Computer Software and Support Services with Compuware Corporation. (KK 11-584). This is a thirty-six month agreement for \$43,383 with a lock-in rate of \$14,461 per year. Funds are available in account CDP-6304 Software Maintenance.

Submitted by: Chief Technology Officer Peter Cooper, Information Technology Department

13. Approve and authorize the transfer of unserviceable items as listed in the backup from the JP4 Inventory to the Purchasing Department.

Submitted by: Justice of the Peace Barbara Perez, JP4

14. 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

15. Approve and authorize County Judge Escobar to sign our annual Equitable Sharing Agreement and Certification. We have received approval number KK-11-590 from the County Attorney's office.

Submitted by: ISC Director Edward Ortega, SO-Investigative Support Center

16. Approve and authorize the County Judge to sign the Equitable Sharing Agreement and Certification for the El Paso County Sheriff's Office (KK#11-601).

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

17. Approve and authorize the County Judge to sign the Chapter 59 Asset Forfeiture FY 2011 for the El Paso County Sheriff's Office (KK#11-600).

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

18. Approve and authorize the County Judge to sign the Sun City Maintenance Agreement for the El Paso County Sheriff's Office - IA copier (KK#11-570).

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

19. Approve and authorize the County Judge to sign the Sun City Maintenance Agreement for the El Paso County Sheriff's Office - Civil copier (KK#11-571).

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

20. Approve and authorize the County Judge to sign the Sun City Maintenance Agreement for the El Paso County Sheriff's Office - BITS copier (KK#11-572).

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

21. Approve and authorize the County Judge to sign the Sun City Maintenance Agreement for the El Paso County Sheriff's Office - Research, Development and Planning copier (KK#11-573).

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

22. Approve and authorize the County Judge to sign the Hirby Pest Control Service Proposal Agreement and Addendum with El Paso County, Texas for services provided to the El Paso County Sheriff's Office HQ Offices (KK#11-574).

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

23. Approve and authorize the County Judge to sign the West Texas HIDTA San Elizario Assessment Contract Service Agreement between El Paso County and JS Research and Evaluation Services. KK-11-587

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

## REPORTS

24. Accept the following quarterly reports:

a) Office of the Constable, Pct. 2

Submitted by: Constable Rick Gammon, Precinct 2 Constable's Office

b) Office of the Constable, Pct. 5

Submitted by: Constable Manuel Lopez, Pct. 5

c) Juvenile Probation Department

Submitted by: Chief Juvenile Probation Officer Roger Martinez, Juvenile Justice Center

d) Office of the Constable, Pct. 7

Submitted by: Constable R. A. Sommers, Pct. 7

1. Consent Agenda: Approve and authorize the County Judge to sign the Solar Power Purchase Agreement(KK11-414).

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

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

NO - None

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**APPROVED – AMENDMENT TO ECONOMIC DEVELOPMENT AGREEMENT  
WITH HAWKINS CENTER, LP**

**DECEMBER 5, 2011**

**MOTION # 6 (Addendum # 2)**

On this day, on motion of Commissioner Perez, seconded by Commissioner Lewis, it is the order of the Court to approve the substitution of Exhibit B-1, Site Development Plan from the original Exhibit B-1, of the Chapter 381 Economic Development Agreement with Hawkins Center, LP.

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

NO - None

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**EXECUTIVE SESSION**

**DECEMBER 5, 2011**

**MOTION # 7 (Item # 25)**

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.

25a) Discuss potential litigation regarding recordation of the transfer and/or assignment of deeds of trust, promissory notes and other legal instruments affecting title to property, county attorney number PC-11-027, pursuant to Texas Government Code Section 551.071.

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

25b) Discuss the pending disciplinary action by the Texas Department of Insurance regarding payment of workers compensation benefits to an injured employee, pursuant to Texas Government Code Section 551.071.

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

The Court recessed at 9:52 a.m.

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**MEETING RECONVENED**

**DECEMBER 5, 2011**

**MOTION # 8**

On this day, Commissioners Court reconvened into regular open session following executive session at 9:58 a.m.

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**POSTPONED – LITIGATION REGARDING RECORDATION  
OF TRANSFER/ASSIGNMENT OF DEEDS OF TRUST, PROMISSORY NOTES  
AND OTHER LEGAL INSTRUMENTS AFFECTING TITLE TO PROPERTY,  
COUNTY ATTORNEY NUMBER PC-11-027**

**DECEMBER 5, 2011**

**MOTION # 9 (Item # 25a)**

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

25a) Discuss potential litigation regarding recordation of the transfer and/or assignment of deeds of trust, promissory notes and other legal instruments affecting title to property, county attorney number PC-11-027, pursuant to Texas Government Code Section 551.071.

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

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

NO - None

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**APPROVED – CONSENT ORDER REGARDING DISCIPLINARY ACTION  
BY THE TEXAS DEPARTMENT OF INSURANCE;  
COUNTY ATTORNEY FILE NUMBER LD-10-145**

**DECEMBER 5, 2011**

**MOTION # 10 (Item # 26)**

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 Consent Order regarding disciplinary action by the Texas Department of Insurance under their file number 60182; county attorney file number LD-10-145.

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

NO - None

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**MEETING ADJOURNED**

**DECEMBER 5, 2011**

**MOTION # 11**

On this day, there being no further business to discuss, the meeting was adjourned at 10:00 a.m.

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MEETING ADJOURNED - SINE DIE

ATTEST:

DELIA BRIONES, COUNTY CLERK  
EL PASO COUNTY, TEXAS

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CESAR O. NAVA, DEPUTY CLERK

EXAMINED AND APPROVED BY ME THIS:

\_\_\_\_\_ DAY OF \_\_\_\_\_, 2011.

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COUNTY JUDGE VERONICA ESCOBAR, PRESIDING