



## COMMISSIONERS COURT COMMUNICATION

AGENDA DATE: 07/2//2012

CONSENT OR REGULAR: Consent

CONTRACT REFERENCE NO  
(IF APPLICABLE): \_\_\_\_\_

### **SUBJECT:**

Approve the transfer of one Deputy Lieutenant position from the SHERIFFSEC index to the SHERIFFLAW index code. There is no budgetary impact for this item.

### **BACKGROUND/DISCUSSION OF TOPIC:**

On March 14, 2011, the Court approved and authorized to unfreeze the position of Deputy Lieutenant under the SHERIFFLAW index and assigned this position to SHERIFFSEC (Item #38) per the Sheriff's request. Subsequently, on November 7, 2011, Commissioners Court approved a 2<sup>nd</sup> transfer of a Deputy Lieutenant from SHERIFFLAW to SHERIFFSEC based on an agenda item placed before the Court by Human Resources (Item #18). This resulted in a double transfer of the Deputy Lieutenant position due to a duplication of efforts. As a result, there are currently two Deputy Lieutenant positions assigned to the SHERIFFSEC index (Courthouse Security); however, in actuality, there is only one Deputy Lieutenant position needed at this particular section of the Sheriff's Office. This error should be corrected in order to accurately reflect the true number of positions assigned to the appropriate index codes on the Sheriff's staffing table. At this time, it is being requested to transfer one Deputy Lieutenant back to the SHERIFFLAW index where it is actually being utilized. By accounting for positions in their actual locations, costs associated with each section are more true and accurate.

### **FISCAL IMPACT:**

There is no budget impact. By transferring the positions, a more realistic depiction of position allotments in SHERIFFSEC and SHERIFFLAW will be reflected.

### **PRIOR COMMISSIONERS COURT ACTION (IF ANY):**

On March 14, 2011 the Court approved and authorized to unfreeze the position of Deputy Lieutenant under SHERIFFLAW and transferred the position of Deputy Lieutenant to SHERIFFSEC (Richard D. Wiles, Sheriff - Item #38). Subsequently, On November 7, 2011, Commissioners Court approved the transfer of a Deputy Lieutenant from SHERIFFLAW to SHERIFFSEC based on an agenda item placed before the Court by Human Resources (Betsy C. Keller, Director of HR -Item #18).

### **RECOMMENDATION:**

Approve the transfer of a Deputy Lieutenant position from the SHERIFFSEC index to the SHERIFFLAW index code. There is no budgetary impact for this item.

**SUBMITTED BY:**

Betsy C. Keller, SPHR, Director, Human Resources, 915-546-2218  
humanresources@epcounty.com

**MONDAY, MARCH 14, 2011  
COMMISSIONERS COURT MET IN REGULAR MEETING  
AT 9:35 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**

**PATRICIA PIETZYK, DEPUTY CLERK**

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**MEETING CONVENED**

**MARCH 14, 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**

**MARCH 14, 2011**

**MOTION # 2**

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

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**APPROVED - RESOLUTION DECLARING  
"NATIONAL BRAIN INJURY AWARENESS MONTH"**

**MARCH 14, 2011**

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

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

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

**NO – None**

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**APPROVED - RESOLUTION HONORING AND RECOGNIZING  
SPC ADRIAN GARCIA FOR MILITARY SERVICE AND COURAGE**

**MARCH 14, 2011**

**MOTION # 4 (Addendum # 1)**

On this day, on motion of Commissioner Gandara, seconded by Commissioner Haggerty, it is the order of the Court to adopt a resolution honoring and recognizing SPC Adrian Garcia for his military service and courage, during his tour in Iraq.

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

NO – None

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**PUBLIC COMMENT**

**MARCH 14, 2011**

**MOTION # 5 (Item # 2)**

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

Jack Bradford, concerned citizen, spoke concerning the Road and Bridge Fund fee.

George Atkins, concerned citizen and member of Chief Allen's Advisory Board, thanked Commissioners Court for assistance regarding the Pedestrian Safety Awareness Program.

Michael Flores, Veterans Assistance Manager, read a Presidential Proclamation concerning the passing of Frank W. Buckles, the last veteran of World War I.

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**APPROVED - AS CORRECTED, APPOINTMENT OF DAVID OSBORN  
TO HOSPITAL DISTRICT BOARD OF MANAGERS**

**MARCH 14, 2011**

**MOTION # 6 (Item # 7)**

On this day, on motion of County Judge Escobar, seconded by Commissioner Haggerty, it is the order of the Court to approve the agenda item, as corrected, to approve and authorize the appointment of David Osborn to the Hospital District Board of Managers, effective April 1, 2011.

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

NO – None

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**APPROVED - AS CORRECTED, APPOINTMENT OF JOSE LUNA, M.D.  
TO HOSPITAL DISTRICT BOARD OF MANAGERS**

**MARCH 14, 2011**

**MOTION # 7 (Addendum # 5)**

On this day, on motion of Commissioner Perez, seconded by County Judge Escobar, it is the order of the Court to approve the agenda item, as corrected, as follows: Discuss and take appropriate action to re-appoint Dr. Jose Luna, M.D. to the Hospital District Board of Managers as the at-large appointee of the El Paso County Commissioners Court, effective April 1, 2011.

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

NO – None

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**APPROVED - RESOLUTION DECLARING "MASSING OF THE COLORS DAY"**

**MARCH 14, 2011**

**MOTION # 8 (Addendum # 7)**

On this day, on motion of Commissioner Haggerty, seconded by County Judge Escobar, it is the order of the Court to adopt a resolution declaring March 19, 2011 "Massing of the Colors Day" in El Paso County, Texas.

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

NO – None

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**APPROVED - CONSENT AGENDA;  
POSTPONED - QUARTERLY REPORTS FROM OFFICE OF CONSTABLE, PCT. 6,  
AND EL PASO COUNTY HISTORICAL COMMISSION**

**MARCH 14, 2011**

**MOTION # 9**

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, including a correction to Item # 18, and to postpone for one week the quarterly reports from the Office of the Constable, Pct. 6, and the El Paso County Historical Commission.

3. Approval of the Minutes of the regular meeting of March 7, 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. 18 to the County of El Paso's 2010-2011 operating budget. This budgetary amendment will increase Grants by \$40,000 and decrease Special Revenue by \$115,131, thus decreasing the overall budget of \$259,840,465 to \$259,765,334.

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

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

Submitted by: Public Works Director Robert Rivera, P.E., County Road and Bridge

8. Approve and authorize the transfer of equipment from the Council of Judges Adm, 205th District Court and County Court at Law #3 to the Purchasing Department as shown on the attached list..

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

9. Approve and authorize the County Judge to sign the service contract for Strengthening Families Program with Pinnacle Social Services, Inc. for the 65th Family Drug Court for the period of May 1, 2011 through August 31, 2011. Funding for this contract is through a CJD grant.

Submitted by: Drug Court Coordinator Ruth Fierro, 65th Judicial District Court

10. Approve and authorize the transfer of equipment from the 388th District Court to the Purchasing Department for disposal. Your approval is greatly appreciated.

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

11. Approve and authorize the acceptance of a refrigerator from Sam's Plumbing & Environmental to the District Clerk's Office.

Submitted by: District Clerk Norma L.Favela, District Clerk's Office

12. Approve and authorize the transfer of items, as listed in the backup, from the Purchasing Department Surplus Office to the District Clerk's Office.

Submitted by: District Clerk Norma L.Favela, District Clerk's Office

13. Approve and authorize the transfer of items, as listed in the backup, from the District Clerk's Office to the County's Purchasing Department.

Submitted by: District Clerk Norma L.Favela, District Clerk's Office

14. Approve and authorize the transfer of equipment, as listed in the back up, from the Justice of the Peace Precinct 2 to the Justice of the Peace Precinct 1, through the Purchasing Department.

Submitted by: Judge Brian J. Haggerty, Justice of the Peace Precinct 2

15. Approve and authorize the Department of Family and Community Services to apply for a Texas Veterans Commission Fund for Veterans' Assistance for \$150,000 to provide emergency financial assistance to veterans and their families.

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

16. Approve and authorize the County Judge to sign a new Services Agreement with El Paso MHMR for Homelessness Prevention and Rapid Re-Housing for \$119,387 beginning October 1, 2009 and ending August 31, 2011.

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

17. Approve and authorize the County Judge to execute the 2011 TechShare Addendum with the Conference of Urban Counties. This contract continues the license for the Juvenile Information System for the 2010-2011 fiscal year. Also, authorize the County Auditor to issue a check in the amount of \$40,200 payable to the Conference of Urban Counties in payment of the annual license fee. Funds are budgeted in account JUVPROB-6664.

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

23. Approve and authorize the removal and disposal of items, as listed in the backup, from the Purchasing Department. These items are obsolete and unrepairable.

Submitted by: Purchasing Agent Piti Vasquez, Purchasing

24. Approve and authorize the County Judge to sign the Performance Statement Amendment Request No. 1 for the TxCDBG Contract No. 728129 for water improvement project in the Western Village area. The Performance Amendment Request is to consolidate final numbers on close-out documents. No County funds are required.

Submitted by: Public Works Director Robert Rivera, P.E., County Road and Bridge

25. Approve and authorize the County Judge to sign a letter Releasing of the Performance Letter of Credit for Septic Improvements located in Valle Bonito Subdivision Unit 2.

Submitted by: Public Works Director Robert Rivera, P.E. , County Road and Bridge

26. Approve and authorize the County Judge to sign a letter Releasing of the Performance Letter of Credit for Septic Improvements located in Valle Bonito Subdivision Unit 3.

Submitted by: Public Works Director Robert Rivera, P.E., County Road and Bridge

27. Approve and authorize the County Purchasing Agent to purchase a vibratory asphalt compactor through the Federal GSA. Funds are available in ROADBRIDGES-9250.

Submitted by: Public Works Director Robert Rivera, P.E., County Road and Bridge

28. Approve and authorize the County Judge to sign a maintenance agreement with J-Mar and Associates to provide maintenance to our map copier.

Submitted by: Public Works Director Robert Rivera, P.E., County Road and Bridge

29. Approve and authorize the County Judge to sign Emerson's Uninterruptible Power System Maintenance Agreement for the El Paso County Sheriff's Office-Jail Annex. The County Attorney's Office has reviewed the agreement (KK#11-103).

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

30. Approve and authorize the County Judge to execute an on-line grant application for submission to the Texas Department of Transportation for funding the El Paso County Sheriff's Office -Traffic Section from 10/01/2011 to 09/30/2012 in the amount of \$68,737.67 with a cash match of fuel of \$12,230.00 and in-kind Explorer volunteer hours of \$725.00 for grand project total cost of \$81,782.67.

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

31. Approve and authorize the County Judge to execute an on-line grant application for submission to the Texas Department of Transportation for the El Paso County Sheriff's Office-Free Ride Home and Crash Memorial from 10/1/2011 to 09/30/2012 in the amount of \$15,695 and an in-kind match from Sun City Cabs \$8,800 for a grand project amount of \$24,495.

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

32. Approve and authorize to transfer unserviceable equipment for the Budget Section 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

## REPORTS

33. Accept the following quarterly reports:

a) Office the Constable, Pct. 5

Submitted by: Sergeant Tory Treat, El Paso County Constable Pct. 5

d) Office of the Constable, Pct. 7

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

6. Consent: Approve and authorize the closure of Lumbre Road directly in front of 7581 Lumbre Road in Canutillo, Texas on March 19, 2011 from 9:00 a.m. until 7:00 p.m. for a religious celebration.

Submitted by: County Commissioner Daniel R. Haggerty, Commissioner, Pct. 4

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

NO – None

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**APPROVED - WAIVERS OF HIRING FREEZE TO ALLOW  
DISTRICT CLERK'S OFFICE, AS CORRECTED,  
FACILITIES MANAGEMENT DEPARTMENT,  
DISTRICT ATTORNEY'S OFFICE, COUNTY AUDITOR'S OFFICE,  
AND SHERIFF'S OFFICE TO FILL VACANCIES;  
APPROVED - CHANGES IN POSITIONS AND REDUCTION IN FORCE  
FOR POSITON ON DISTRICT CLERK'S OFFICE MANNING TABLE**

**MARCH 14, 2011**

**MOTION # 10 (Items # 18, 19, 20, 21, 22)**

On this day, on motion of Commissioner Perez, seconded by Commissioner Gandara, it is the order of the Court to approve the following regular agenda items.

18. As corrected, approve the committee's recommendation regarding the District Clerk's Office to: approve waiving the hiring freeze for 1 Court Clerk position and deny the waiver for the other Court Clerk position requested in Request #2011-019; approve waiving the hiring freeze for 2 Office Specialist, Intermediate positions; approve waiving the hiring freeze for 2 Office Specialist positions; approve the regrade of 7 office supervisor (G-18) positions to Supervisor (G-20) positions; approve waiving the freeze for any subsequent vacancies that occur in the department as a result of filling any of the positions internally and all subject to meeting the original 6 week hiring freeze requirements; and approve the reorganization of the department including: approve the regrade of 6 Office Specialist, Intermediate (G-10) positions to Office Specialist, Senior (G-12) positions; approve the regrade of 1 Collections Specialist (G-11) position to an Office Specialist, Senior (G-12) position; approve the regrade of 1 Office Specialist, Intermediate (G-10) position to a Court Clerk (G-11) position; approve the regrade of Office Specialist, Intermediate (G-10) position to a Collection Specialist (G-11) position; regrade 2 Office Specialist (G-7) positions to 2 Collection Specialist (G-11) positions; approve the reduction in force of the Collections Manager (P-08) position; and transfer the incumbent to the vacant Project Coordinator (G-18) position at step 2 for a total savings of \$28,582 for the reorganization.

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

19. Approve the committee's recommendation to approve waiving the hiring freeze for Requests #2011-030 for 3 Custodian positions and # 2011-032 for an Administrative Assistant position and any subsequent vacancies that occur within the department from filling the positions for the Facilities Division of the Public Works Department contingent upon the position not being filled prior to meeting the original 6 week hiring freeze requirements.

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

20. Approve the committee's recommendation to approve waiving the hiring freeze for Request #2011-031 for a Trial Attorney position for the District Attorney's office contingent upon the position not being filled prior to meeting the original 6 week hiring freeze requirements.

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





## SELECTION OF 2011 SALARY GRIEVANCE COMMITTEE MEMBERS

**MARCH 14, 2011**

**MOTION # 13 (Item # 36)**

On this day, pursuant to Local Government Code §152.015, the members of Commissioners Court selected the following persons to serve as members or alternates on the 2011 Salary Grievance Committee.

David Reyes  
Eduardo A. Hernandez  
Julieta F. Solis  
Emilia Beard  
Davie O. Snider  
Arturo E. Amaro  
Adrian Martinez  
Griselda Fierro  
Mirna C. Pineda  
Randy D. Cottrell  
Ilusion Moncada  
Dora M. Harmon  
Alejandra Jacobo  
Chuck E. Seeber  
Rosa M. Salas  
Fumie Markwell  
Jeraline Brown  
Salim A. Boureslan  
Diego A. Hidalgo, Jr.  
Shirley Baca  
Salvador A. Melendez  
Sarah E. Vullarreal  
Richard Rios  
Ruben T. Jacques  
Diana Valles  
Christina E. Olivas  
Luz E. Martinez  
Fred Aguirre  
Faban K. Gutierrez  
Rina C. Grijalva  
Federico M. Dominguez  
Hilda Perez  
Claudia J. Aragon  
Amanda M. Molina  
Florentina S. Duran  
Clara E. Contreras  
Juan J. Gomez  
Eduardo Ornelas  
Aurora Luna

Maria C. Borunda  
James E. Alston, Jr.  
Jessica L. Chavira  
Eugenio Sapien  
Phillip L. Walls, Jr.  
Melissa Portillo  
Daniel Lopez  
Romula G. Hernandez  
Liliana Chavez-Ramirez  
Roberto Rubalcaba  
Nancy J. Skokan  
Jean A. Bennett  
Alejandro Tovar  
Cheryl Heller  
Sandra I. Shay  
Margarita A. Quesada  
Jorge A. Luevano  
Eric M. Brittain  
Hector Hernandez  
Joseph A. Loiacono  
Elizabeth Vanderaa  
Shannon R. Lynch  
Laura D. Belles  
Rebecca Lujan  
Sylvia Balderrama  
Elizabeth M. Guerrero  
Priscilla G. Sarabia  
Dennis R. Thompson  
Juan Carrillo, III  
Pete G. Jacobs  
Daniel Ceballos  
Carmen R. Shindo  
Maria G. Moran  
Estella Ramirez  
Debra Y. Mora  
Patricia K. Segura  
Francisco Perales  
Fernando Martinez  
Erica Almaguer

Victoria Sida  
Alberto Estrada  
Gustavo Rodriguez  
Magaly V. Olivas  
Josephine L. Salom  
Violeta Lares  
Travis E. Reed  
Andres Ovalles  
Ramon Chavez  
Manuel W. Tellez  
Michael R. Salado  
Sylvia L. Martinez  
Mario A. Gonzalez  
Ana J. Trillo  
Guadalupe V. Maldonado  
Ruben Perez  
Thomas J. Johnson  
Stephanie E. Klenke  
Victor Ortiz  
Gabriel Bustamante, Jr.  
David P. Wilkins  
Luis L. Jordan  
Ramon E. Yrigoyen  
Guadalupe D. Nieto  
Stephanie A. Serrano  
Alison L. Days  
Maria Rutiaga  
Angelica A. Rodriguez  
Christina G. Alarcon  
Reginald Johnson  
Ricardo Martinez  
Judy D. Burciaga  
Steven D. Carreon  
Luz E. Martinez  
Nina Cordova  
George Melendez  
Rafael Lujan  
Maria I. McCubbin  
Olga L. Ramirez  
Stacy A. Stoltzman  
Jaime A. Hernandez  
Bladimil Freitas  
Johnny Smith  
Marissa C. Wayden  
Vanessa Barba  
Barbara J. Nieto

Jesus Chaffino, Jr.  
Guadalupe P. Chavez  
Vanessa Muniz  
Ethel M. Nelson  
Raymundo E. Munoz  
Gilberto Hidalgo, Jr.  
Humberto A. Chavez, Jr.  
Rodolfo Arredondo, Jr.  
Michael A. Zarate  
William R. Leverton  
Diana A. Alvarado  
Carolyn A. Lira  
Sarahi A. Estrada  
Esteban Castanon, Jr.  
Beverly S. Sellers  
Ruben Lopez  
David C. Hacker  
Juan J. Andrade  
Justino Monarez  
Andrea M. Ortiz  
Richard K. Satterlee  
Stella M. Aguilar  
Thelma D. Venegas  
Sandra D. Courtright  
Priscilla Barraza  
Humberto J. Gomez  
Karla S. Estrada  
Stuart H. Roberts  
Francisco J. Varela  
Frank J. Mangan, III  
Andres V. Guerra  
Guillermina H. Cruz  
Sandra Urista  
Daniel S. Fabiano  
Steven R. Kurtzrock  
Anna Rivera  
Susan C. Custer  
Antonio D. Flores  
Kimberly M. Payne  
Craig D. Thompson  
Ernesto P. Mendiola, Jr.  
Henry L. Haberkamp, III  
Michael D. Kozak  
Irene Arzola  
Robbin L. Jackson-Murray  
Rebecca Angel

Renee E. Diaz  
Debra E. Williams  
Sandra B. Arandia  
Pedro C. Alvarez  
Jacqueline A. Yapor-Mata  
Evangelina P. Ramirez  
James Cooper  
Erick Morales  
George E. Kimmel  
Josephine K. Angerstein-Guzman  
Peter M. Frantz  
Jeffrey L. Snyder  
Josephine Trejo  
Alicia V. Martinez  
Angelita C. Harris

Francisco J. Martinez  
Justine M. Grado  
Rocio Martinez  
Maria E. Yanez  
Cruz A. Guzman  
Rainer W. Alpert  
Lorenzo Manriquez  
Ann H. Hasenbuhler  
Melissa Meraz  
Maria O. Johnson  
Robert S. Ayoub  
Ana T. Longoria  
Raul Chavez, Jr.  
Corina Otero  
Guadalupe B. Nevarez

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**APPROVED - COUNTY TO SUPPORT S.B. 116**

**MARCH 14, 2011**

**MOTION # 14 (Item # 37)**

On this day, on motion of County Judge Escobar, seconded by Commissioner Gandara, it is the order of the Court that the County support SB 116, relating to protective orders against dating violence.

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

NO – None

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**APPROVED - COUNTY TO OPPOSE H.B. 1604**

**MARCH 14, 2011**

**MOTION # 15 (Item # 37)**

On this day, on motion of County Judge Escobar, seconded by Commissioner Perez, it is the order of the Court that the County oppose HB 1604, relating to the regulation of subdivisions in counties, including certain border and economically distressed counties.

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

NO – Haggerty

**APPROVED - COUNTY TO SUPPORT H.B. 1649 AND COMPANION BILL S.B. 861**

**MARCH 14, 2011**

**MOTION # 16 (Item # 37)**

On this day, on motion of County Judge Escobar, seconded by Commissioner Perez, it is the order of the Court that the County support HB 1649 and companion bill SB 861, relating to the enforcement of building code standards for new residential construction in the unincorporated area of a county; providing a fee.

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

NO – Haggerty

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**APPROVED - COUNTY TO SUPPORT S.J.R. 40, S.B. 1363 AND S.B. 1392**

**MARCH 14, 2011**

**MOTION # 17 (Item # 37)**

On this day, on motion of County Judge Escobar, seconded by Commissioner Perez, it is the order of the Court that the County support the following legislation:

- 1) SJR 40, proposing a constitutional amendment authorizing a county to regulate land development if approved by a majority vote in a countywide election.
- 2) SB 1363, relating to authorizing certain counties and municipalities to regulate land development; providing a penalty.
- 3) SB1392, relating to authorizing counties and municipalities to regulate land development; providing a penalty.

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

NO – Haggerty

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**APPROVED - COUNTY TO SUPPORT H.J.R. 56 AND S.J.R. 17;  
APPROVED - RESOLUTION SUPPORTING H.J.R. 56 AND S.J.R. 17**

**MARCH 14, 2011**

**MOTION # 18 (Item # 37)**

On this day, on motion of Commissioner Haggerty, seconded by Commissioner Perez, it is the order of the Court that the County support HJR 56 and SJR 17, proposing a constitutional amendment to restrict the power of the legislature to mandate requirements upon certain local governments. Further, to approve and adopt a resolution in support of HJR 56 and SJR 17.

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

NO – None

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**APPROVED - COUNTY TO OPPOSE H.B. 2952**

**MARCH 14, 2011**

**MOTION # 19 (Item # 37)**

On this day, on motion of County Judge Escobar, seconded by Commissioner Gandara, it is the order of the Court that the County oppose HB 2952, relating to municipal, county, and school district and other special district budgets.

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

NO – None

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**APPROVED - COUNTY TO OPPOSE H.B. 3076**

**MARCH 14, 2011**

**MOTION # 20 (Item # 37)**

On this day, on motion of County Judge Escobar, seconded by Commissioner Gandara, it is the order of the Court that the County oppose HB 3076, relating to the rate of the hotel occupancy tax in certain counties.

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

NO – Haggerty

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**APPROVED - CHANGES IN POSITIONS ON SHERIFF'S OFFICE MANNING TABLE**

**MARCH 14, 2011**

**MOTION # 21 (Items # 38, 39)**

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

38. Approve and authorize to unfreeze the position of Deputy Lieutenant under SHERIFFLAW and transfer the position of Deputy Lieutenant to SHERIFFSEC. This transfer is retroactive to March 6, 2011.

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

39. Approve and authorize to freeze the position of Detention Officer Lieutenant under SHERIFFDETEN and transfer the funds to SHERIFFSEC.

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

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

NO – None

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**NO ACTION - BID AWARDED - INTEGRATED JUDICIAL MANAGEMENT SYSTEM  
FOR COUNTY OF EL PASO**

**MARCH 14, 2011**

**MOTION # 22 (Item # 40)**

On this day, Commissioners Court took no formal action on the agenda item as follows: Disposition of Bids---Discuss and take appropriate action on RFI #07-042, RFI Integrated Judicial Management System for the County of El Paso.

**NO ACTION**

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**APPROVED - SPORTSPARK PERSONNEL TO PLAN  
CHILI COOK-OFF AT SPORTSPARK**

**MARCH 14, 2011**

**MOTION # 23 (Addendum # 2)**

On this day, on motion of County Judge Escobar, seconded by Commissioner Gandara, it is the order of the Court to approve the agenda item to discuss and take appropriate action to allow Sportspark personnel to plan Sportspark Chili Cook-Off.

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

NO – None

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**APPROVED - VEHICLE AND HEAVY EQUIPMENT AUCTION  
FOR PURCHASING DEPARTMENT**

**MARCH 14, 2011**

**MOTION # 24 (Addendum # 3)**

On this day, on motion of Commissioner Gandara, seconded by Commissioner Haggerty, it is the order of the Court to approve the agenda item to approve and authorize a Vehicle/Heavy Equipment Auction on March 26, at 12501 E. Montana, behind the Jail Annex. Registration/Preview begins at 7:30-9:00 A.M. With the auction beginning at 9:00 A.M. The public is invited.

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

NO – None

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**BID AWARDED - MATERIAL TESTING SERVICES  
FOR TORNILLO-GUADALUPE P.O.E. CONSTRUCTION PROJECT;  
APPROVED - PURCHASING AGENT TO NEGOTIATE CONTRACT**

**MARCH 14, 2011**

**MOTION # 25 (Item # 41)**

On this day, on motion of Commissioner Gandara, seconded by Commissioner Haggerty, it is the order of the Court to award RFQ No.11-002, Material Testing Services for the Tornillo-Guadalupe P.O.E. Construction Project, to CQC Testing and Engineering LLC. Further, to authorize the Purchasing Agent to negotiate a contract.

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

NO – None

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**EXECUTIVE SESSION**

**MARCH 14, 2011**

**MOTION # 26 (Items # 42, Addendum # 4)**

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.

42a) Discuss the pending litigation of Bonnie Allen vs. El Paso County, cause number 2010-1571; county attorney file number LD-10-054, pursuant to Texas Government Code Section 551.071.

Submitted by: Assistant County Attorney Ian R. Kaplan, County Attorneys Office

4. Executive Session: Discuss the litigation regarding Jose Eduardo Ceja-Amaya vs. The County of El Paso, et al; cause number EP-09-CV-0263, county attorney case number LD-09-055 pursuant to Texas Government Code Section 551.071.

Submitted by: Assistant County Attorney Kitty Schild, County Attorney's Office

The Court recessed at 1:17 p.m.

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**MEETING RECONVENED**

**MARCH 14, 2011**

**MOTION # 27**

On this day, Commissioners Court reconvened into regular open session following executive session at 1:33 p.m.

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**NO ACTION - PENDING LITIGATION OF BONNIE ALLEN VS. EL PASO COUNTY,  
CAUSE NUMBER 2010-1571; COUNTY ATTORNEY FILE NUMBER LD-10-054**

**MARCH 14, 2011**

**MOTION # 28 (Item # 43)**

On this day, Commissioners Court took no formal action on the agenda item to Discuss and take action on the pending litigation of Bonnie Allen vs. El Paso County, cause number 2010-1571; county attorney file number LD-10-054.

**NO ACTION**

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**MEETING ADJOURNED**

**MARCH 14, 2011**

**MOTION # 29**

On this day, there being no further business to discuss, the meeting was adjourned at 1:34 p.m.

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MEETING ADJOURNED - SINE DIE

ATTEST:

DELIA BRIONES, COUNTY CLERK  
EL PASO COUNTY, TEXAS

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PATRICIA PIETZYK, DEPUTY CLERK

EXAMINED AND APPROVED BY ME THIS:

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

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COUNTY JUDGE VERONICA ESCOBAR, PRESIDING

**MONDAY, NOVEMBER 7, 2011  
COMMISSIONERS COURT MET IN REGULAR MEETING  
AT 9:30 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**

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**MEETING CONVENED**

**NOVEMBER 7, 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**

**NOVEMBER 7, 2011**

**MOTION # 2**

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

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**PRESENTATION**

**NOVEMBER 7, 2011**

**MOTION # 3 (Item # 2)**

On this day, Commissioners Court received a presentation from EPMHMR.

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**APPROVED – RESOLUTION PROCLAIMING “DIABETES MONTH”**

**NOVEMBER 7, 2011**

**MOTION # 4 (Item # 1)**

On this day, on motion of Commissioner Gandara, seconded by Commissioner Haggerty, it is the order of the Court to adopt a resolution proclaiming the month of November as "Diabetes Month" in El Paso County, Texas.

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

NO - None

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**PRESENTATION**

**NOVEMBER 7, 2011**

**MOTION # 5 (Item # 3)**

On this day, Commissioners Court received a presentation from Commissioner Sergio Lewis regarding his trip to Oklahoma City on October 20-21, 2011.

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**PUBLIC COMMENT**

**NOVEMBER 7, 2011**

**MOTION # 6 (Item # 4)**

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

Jack Bradford, concerned citizen, spoke about El Paso's economy, wages for County employees and local taxes.

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**APPROVED – CONSENT AGENDA;  
POSTPONED – SERVICE COMMITMENT  
TO COPIER MAINTENANCE AGREEMENT WITH IKON OFFICE;  
POSTPONED – QUARTERLY REPORTS FROM  
OFFICE OF CONSTABLE, PCT. 2; OFFICE OF CONSTABLE, PCT. 3;  
SAN ELIZARIO GENEALOGY AND HISTORICAL SOCIETY;  
AND HOUSING AUTHORITY**

**NOVEMBER 7, 2011**

**MOTION # 7**

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, including the deletion of Item # 16; a correction to Item # 17; to postpone for one week Item # 14 to approve and authorize the County Judge to sign the Service Commitment to the Copier Maintenance Agreement (KK-11-315: RICOH MP7001 previously approved on 10/17/11; Item 25) with IKON office; and to postpone for one week the quarterly reports for the Office of the Constable, Pct. 2; Office of Constable, Pct. 3; the San Elizario Genealogy and Historical Society; and the Housing Authority.

5. Approval of the Minutes of the regular meeting of October 31, 2011.  
Submitted by: , County Clerk's Office

6. 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

7. Approve and authorize additional allocation of funds for sheriff's telephone upgrade in the amount of \$8,556. State DIR pricing is being quoted for this project, funds are available in CPCAPITAL07 unallocated balance.

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

8. Approve the transfer of items listed on the attachment from the Auditor's Office to the Purchasing Department.

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

9. 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

10. Approve and authorize the County Judge to submit the 2012 El Paso County Indigent Defense Grant Program Application and sign the El Paso County Resolution in support of the grant application (KK-11-546). There is no cost to the County for this grant.

Submitted by: County Judge Veronica Escobar, Commissioners Court

11. Approve and authorize the County Judge to sign the Federal Equitable Sharing Agreement and Certification Report for FY 2011, as listed in the backup, for the 34th Judicial District Attorney's Office submission to the Department of Justice.

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

12. Approve and authorize acceptance of the following donated desktop computer from the El Paso Probate Bar Association, and add it to the Probate Court #2 inventory: System Model: Dell Inspiron 620; BIOS Version: Dell Inc. A00; Service Tag #: JXLWFQ1; Product Key #: FCQJW-GJ23D-V92MY-FWXDQ-T5D92.

Submitted by: Judge Eduardo A. Gamboa, Probate Court #2

13. Review and approve 2011 Asset Forfeiture Report.

Submitted by: Constable Oscar Robles, Constable's Office Precinct 6

17. Approve the Staffing Review Committee's recommendation to change the Bookkeeper position (Grade 7NE) to a Cashier position (Grade 6NE) and waive the hiring freeze on this Cashier position (Grade 6NE) for the Sheriff's Department from SHERIFFDETEN Index. The Cashier position costs \$32,500, which is \$4,226 less than a Bookkeeper position.

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

18. To approve the transfer of a Deputy Sergeant position from the SHERIFFSEC index to the SHERIFFLAW index. Simultaneously, to approve the transfer of a Deputy Lieutenant position from SHERIFFLAW to the SHERIFFSEC index.

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

19. Approve and authorize the County Judge to sign an Amendment to a Contract for Architectural Services Between Owner and Engineer (KK10-150) with SMS Architects, Inc. for the remodel of the Pavilion building at Ascarate Park.

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

20. Approve and authorize the County Judge to sign a Historic Site Tourist Promotion and Preservation Services Agreement with the Concordia Heritage Association for \$50,000 for a period beginning October 1, 2011 and ending September 30, 2012.

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

21. Approve and authorize the County Judge to execute the Site Specific Environmental Review Checklists for 21 homes under the Small Repair activity of the Colonia Self Help Center Program Contract No. 710013.

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

22. Approve and authorize the County Judge to execute the draw down for the 2011 State Criminal Alien Assistance Program (SCAAP) grant award for the El Paso County Sheriff's Office Detention Bureau in the amount of \$413,420.

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

23. Approve and authorize the County Purchasing Agent to solicit bids for Courthouse Security X-Ray Systems Service Agreement. Specifications have been submitted to County Purchasing.

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

24. Approve and authorize to transfer equipment from the El Paso County Sheriff's Office Support Services Bureau to the Anthony Police Department in Texas. Please approve these items for Commissioners Court Agenda. These items are no longer being used.

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

25. Approve and authorize the El Paso County Sheriff's Office to accept donations in support of the Religious Ministries Programs, which include the Jail Ministry and Chaplaincy Program, on an ongoing basis as long as the programs shall exist.

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

26. Approve and authorize to transfer unserviceable equipment for the Communications Center 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

REPORTS

27. Accept the following quarterly reports:

a) Office of the Constable, Pct. 1

Submitted by: Constable Pct. 1 Robert White, El Paso County Constable Pct. 1

b) Emergency Management

Submitted by: Assistant Emergency Management Coordinator Lieutenant Ricardo Gonzalez, El Paso City/County Emergency Management

e) Border Children's Mental Health Collaborative

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

h) Public Defender's Office

Submitted by: Division Chief Attorney Development and Education Carole Jean Powell, Public Defenders Office

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

NO - None

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**APPROVED – COUNTY JUDGE’S CHIEF ADMINISTRATOR  
TO DEVELOP POLICY RECOMMENDATIONS FOR APPOINTMENT  
OF EMERGENCY SERVICE DISTRICT BOARD MEMBERS**

**NOVEMBER 7, 2011**

**MOTION # 8 (Item # 29)**

On this day, on motion of Commissioner Haggerty, seconded by Commissioner Perez, it is the order of the Court to instruct the Chief Administrator in the County Judge’s Office to come back to the Court with policy recommendations for ESD Board membership selection.

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

NO – None

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**APPROVED – PURCHASING AGENT TO SOLICIT BIDS  
FOR CISCO SMARTNET MAINTENANCE**

**NOVEMBER 7, 2011**

**MOTION # 9 (Item # 15)**

On this day, on motion of Judge Escobar, seconded by Commissioner Haggerty, it is the order of the Court to authorize the County Purchasing Agent to solicit bids on Cisco SmartNet Maintenance. Funds are available in CDP-6302 Hardware Maintenance.

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

NO - None

**RECONSIDERED – PUBLIC COMMENT**

**NOVEMBER 7, 2011**

**MOTION # 10 (Item # 4)**

On this day, on motion of Commissioner Haggerty, seconded by Judge Escobar, it is the order of the Court to reconsider Public Comment.

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

NO – None

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**PUBLIC COMMENT**

**NOVEMBER 7, 2011**

**MOTION # 11 (Item # 4)**

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

Augie Lopez, concerned citizen, regarding trash cleanup in a Northeast El Paso subdivision.

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**APPROVED – ETHICS COMMISSION APPOINTMENT**

**NOVEMBER 7, 2011**

**MOTION # 12 (Item # 30)**

On this day, on motion of Commissioner Haggerty, seconded by Commissioner Lewis, it is the order of the Court to authorize the appointment of David Head to the El Paso County Ethics Commission.

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

NO - None

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**DELETED – VIDEO PRESENTATION OF PARANORMAL STUDY  
OF COUNTY COURTHOUSE**

**NOVEMBER 7, 2011**

**MOTION # 13 (Item # 32)**

On this day, on motion of Commissioner Haggerty, seconded by Judge Escobar, it is the order of the Court to delete the agenda item to receive a video presentation by Ghost-EP showing the results of the paranormal study that was performed at the County Courthouse. Discuss and take appropriate action regarding the release and/or use of the video as necessary.

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

NO - None

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**APPROVED – LEASE AGREEMENT WITH ALASKA NATIVE BROADBAND**

**NOVEMBER 7, 2011**

**MOTION # 14 (Item # 31)**

On this day, on motion of Commissioner Haggerty, seconded by Commissioner Gandara, it is the order of the Court to approve the agenda item, as corrected, discuss and take appropriate action to exercise a five year option to renew the Rooftop Lease Agreement with Alaska Native Broadband until May 15, 2016 under the same terms and conditions (KK-06-166).

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

NO - None

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**APPROVED – REMOVAL OF QUARTERLY REPORTING REQUIREMENT  
FOR COUNTY DEPARTMENTS**

**NOVEMBER 7, 2011**

**MOTION # 15 (Addendum # 3)**

On this day, on motion of Commissioner Perez, seconded by Commissioner Gandara, it is the order of the Court to remove the quarterly reporting requirements from Commissioners Court meeting agendas for the following departments and requiring them to incorporate these quarterly reports into the monthly Thursday Special Commissioners Court meetings assigned to their specific areas: Family and Community Services, Border Children's Mental Health Collaborative, Medical Examiner's Office, Texas Agrilife Extension, Public Defender, Domestic Relations, Elections, Public Works, Information Technology Department, and the Human Resources Department.

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

NO - None

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**APPROVED – NEW REPORTING REQUIREMENTS FOR  
CONCORDIA HERITAGE ASSOCIATION,  
EL PASO COUNTY HISTORICAL COMMISSION,  
AND SAN ELIZARIO GENEALOGY AND HISTORICAL SOCIETY**

**NOVEMBER 7, 2011**

**MOTION # 16 (Addendum # 3)**

On this day, on motion of Commissioner Perez, seconded by Commissioner Haggerty, it is the order of the Court to remove the quarterly reporting requirements from Commissioners Court meeting agendas for the Concordia Heritage Association, El Paso County Historical Commission and the San Elizario Genealogy and Historical Commission and instead comply with their quarterly reporting requirement by submitting their documentation to the Family and Community Services Department, to be a part of their monthly report or send their report statistics to the members of the Court in compliance with their contracts.

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

NO - None

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**EXECUTIVE SESSION**

**NOVEMBER 7, 2011**

**MOTION # 17 (Item # 33,  
Addendum # 1)**

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.

33a) Pursuant to Section 551.071 of the Texas Government Code provide legal advice and consultation regarding Office of the Governor, Criminal Justice Division, Grant #CG-10-J120-23211-01 "SHOCAP Grant".

Submitted by: Assistant County Attorney Christina Sanchez, Juvenile Probation Department

1. EXECUTIVE SESSION: Discuss and review terms of existing El Paso County contracts with State and Federal lobbying firms, pursuant to Texas Government Code Section 551.071.

Submitted by: Commissioner Pct. 1 Anna Perez, Commissioner Court

The Court recessed at 11:10 a.m.

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COMMISSIONER DANIEL R. HAGGERTY WAS ABSENT  
FROM THIS POINT THROUGH THE REMAINDER OF THE MEETING

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**MEETING RECONVENED**

**NOVEMBER 7, 2011**

**MOTION # 18**

On this day, Commissioners Court reconvened into regular open session following executive session at 11:50 a.m.

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**NO ACTION – OPTION TO EXTEND LEGISLATIVE CONSULTING SERVICES  
AGREEMENT WITH BICKERSTAFF HEATH DELGADO ACOSTA, LLP**

**NOVEMBER 7, 2011**

**MOTION # 19 (Item # 28)**

On this day, Commissioners Court took no formal action on the agenda item to discuss and take appropriate action to exercise the option to extend the agreement for one additional two-year term of the Legislative Consulting Services Agreement with Bickerstaff Heath Delgado Acosta, LLP until December 7, 2013.

**NO ACTION**

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**APPROVED – COUNTY ATTORNEY’S OFFICE TO RENEGOTIATE SERVICES  
FOR STATE AND FEDERAL LOBBYIST FIRMS**

**NOVEMBER 7, 2011**

**MOTION # 20 (Addendum # 2)**

On this day, on motion of Commissioner Perez, seconded by Commissioner Gandara, it is the order of the Court to instruct the County Attorney’s Office to renegotiate terms regarding the scope of services in both the existing state and federal lobbyist contracts.

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

NO - None

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**MEETING ADJOURNED**

**NOVEMBER 7, 2011**

**MOTION # 21**

On this day, there being no further business to discuss, the meeting was adjourned at 11:53 a.m.

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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