

**MONDAY, JANUARY 24, 2011
COMMISSIONERS COURT MET IN REGULAR MEETING
AT 11:12 A.M.
WITH THE FOLLOWING MEMBERS PRESENT**

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

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

**ANNA PEREZ, COMMISSIONER, PCT. # 1- ABSENT
WILLIE GANDARA, COMMISSIONER, PCT. # 3 - ABSENT**

PATRICIA PIETZYK, DEPUTY CLERK

MEETING CONVENED

JANUARY 24, 2011

MOTION # 1

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

PLEDGE OF ALLEGIANCE

JANUARY 24, 2011

MOTION # 2

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

**APPROVED - RESOLUTION DECLARING
"COMMUNITY SCHOLARS RECOGNITION DAY"**

JANUARY 24, 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 January 24, 2011 as "Community Scholars Recognition Day" in El Paso County, Texas.

VOTE: YES – Judge Escobar, Lewis, Haggerty

NO – None

**APPROVED - AS CORRECTED, RESOLUTION PROCLAIMING
"NURSING HOME AND ASSISTED LIVING ACTIVITY DIRECTORS WEEK"**

JANUARY 24, 2011

MOTION # 4 (Item # 2)

On this day, on motion of County Judge Escobar, seconded by Commissioner Haggerty, it is the order of the Court to adopt, as corrected, a resolution proclaiming the week of January 16th to 21st as "Nursing Home and Assisted Living Activity Directors Week" in El Paso County, Texas. Revised backup information received.

VOTE: YES – Judge Escobar, Lewis, Haggerty

NO – None

APPROVED - RESOLUTION RECOGNIZING "NATIONAL MENTORING MONTH"

JANUARY 24, 2011

MOTION # 5 (Item # 3)

On this day, on motion of Commissioner Lewis, seconded by County Judge Escobar, it is the order of the Court to adopt a resolution recognizing January 2011 as "National Mentoring Month" in El Paso County.

VOTE: YES – Judge Escobar, Lewis, Haggerty

NO – None

**PRESENTATION - TO NORMA L. FAVELA
FROM TAX ASSESSOR COLLECTOR'S OFFICE**

JANUARY 24, 2011

MOTION # 6 (Item # 4)

On this day, Commissioners Court received the presentation to Norma L. Favela from Victor A. Flores and the Tax Office Department in recognition for her hard work and dedication while serving as Chief Deputy from November 1, 1999 through December 31, 2010.

**PRESENTATION - REPORT FROM AUSTIN COPELIN AND REYES LLC,
FEDERAL LOBBYIST**

JANUARY 24, 2011

MOTION # 7 (Item # 5)

On this day, Commissioners Court received a presentation from Austin Copelin & Reyes LLC, the County's Consultant and Advocate before the United States Congress and Agencies of the United States, regarding the new Congress, budgetary issues and federal legislative initiatives.

APPROVED - COUNTY TO SUPPORT H.B. 713

JANUARY 24, 2011

MOTION # 8 (Item # 56)

On this day, on motion of County Judge Escobar, seconded by Commissioner Lewis, it is the order of the Court that the County support HB 713, relating to the creation of an appellate judicial system for the Eighth Court of Appeals District, and for the collection of appellate judicial system filing fees in the amount of \$5 as additional statutory County Court fees and additional County Court fees under Government Code Section 22.2091.

VOTE: YES – Judge Escobar, Lewis, Haggerty

NO – None

**PRESENTATION - TO JIMMY RODGERS
FROM TEXAS AGRILIFE EXTENSION SERVICE**

JANUARY 24, 2011

MOTION # 9 (Item # 6)

On this day, Commissioners Court received the presentation to Jimmy Rodgers in his retirement from the Texas AgriLife Extension Service. This is in recognition of his 33 years of outstanding and dedicated service while serving as County Extension Agent - 4H and Youth Development, with 15 years of those serving El Paso County youth.

**PRESENTATION - COUNTY STAR AWARD TO SERGIO GARCIA,
TAX ASSESSOR COLLECTOR'S OFFICE**

JANUARY 24, 2011

MOTION # 10 (Item # 7)

On this day, Diana Calamia, Human Resources Training Supervisor, Human Resources Department, presented the County Star Award – 4rd Quarter 2010, to Sergio Garcia, Vehicle Inventory Tax Enforcement Director, Tax Assessor Collector's Office.

PUBLIC COMMENT

JANUARY 24, 2011

MOTION # 11 (Item # 8)

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

Steve Watson, concerned citizen, spoke regarding the criminal justice system.

**APPROVED - CONSENT AGENDA;
POSTPONED - QUARTERLY REPORTS FROM OFFICE OF CONSTABLE, PCT. 6,
OFFICE OF CONSTABLE, PCT. 1, AND FACILITIES MANAGEMENT DEPARTMENT**

JANUARY 24, 2011

MOTION # 12

On this day, on motion of Commissioner Haggerty, seconded by County Judge Escobar, it is the order of the Court to approve the following Consent Agenda items, including corrections to Item # 27 and Item # 28; to postpone for one week the quarterly reports from the Office of the Constable, Pct. 6 and the Office of the Constable, Pct. 1; and to postpone for two weeks the quarterly report from the Facilities Management Department.

9. Approval of the Minutes of the regular meeting of January 10, 2011.
Submitted by: , County Clerk's Office

10. 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

11. Approve amendment No. 12 to the County of El Paso's 2010-2011 operating budget. This budgetary amendment will increase Grants by \$3,004,147, thus increasing the overall budget of \$256,081,333 to \$259,085,480.
Submitted by: County Auditor Edward A. Dion, County Auditors Office

12. Pursuant to the Texas Local Government Code, Sections 114.023, 114.024, 114.025 and 114.026, please accept the interim financial report for the month ended December 2010. This report is located on the intranet at: www.epcounty.com/auditor/publications/default.htm
Submitted by: County Auditor Edward A. Dion, County Auditors Office

13. Pursuant to the Texas Government Code, Title 10, § 2256.003, please accept the attached investment report for the quarter ended September 30, 2010.
Submitted by: County Auditor, CPA, CIO Edward A. Dion, County Auditors Office

14. Approve and authorize an allocation not to exceed a total of \$2,100 from GADMINGF-6872 for payment of newly-mandated TCLEOSE fees for every status change on a Constable or Deputy Constable. If needed, a maximum of \$300 will be transferred to each Constable's budget to ensure that each office has adequate access to file its changes.
Submitted by: County Auditor Edward A. Dion, County Auditors Office

15. 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 Robert Rivera, P.E., County Road and Bridge

16. Approve and authorize the reappointment of James Clair to the El Paso County Ethics Commission, effective February 01, 2011.

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

17. Approve and authorize the El Paso County Purchasing Agent to purchase computer equipment from CDW-G through the State of Texas DIR contract for \$73,933.20 to enhance wireless capability within the County Courthouse to support the District Attorney's paperless file project. Funds are available in the DA Special Account and no County funds are required.

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

19. The DRO requests permission to return the listed items to the Purchasing Inventory.

Submitted by: Executive Director Jim Fashing, Domestic Relations Office

20. Approve and authorize the County Purchasing Agents to dispose of and remove from the WTCSCD inventory the items listed in the attached document.

Submitted by: Director Stephen L. Enders, West Texas CSCD

21. Approve and authorize the County Judge to sign an Amendment to a Contract for Engineering Services Between Owner and Engineer (KK 09-417) with RBM Engineering, Inc. for a construction project identified as RFQ 08-074 to Upgrade the Ascarate Park Trail Lighting System.

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

23. Approve and authorize the appointment of the following individuals to a two year term on the El Paso County Historical Commission beginning in January 2011: Marvin Brotherton; Marshall Carter-Tripp; Minerva C. Cheatum; Steven T. Cheatum; Sharon Cowell; Will E. DeBusk; Prestene M. Dehrkoop; Winifred Dowling; Patricia Bevel Kidney; Justin S. Meyer; Bernard J. Sargent; Steven R. Silver and Dr. Martha Deen Underwood.

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

24. Approve and authorize the County to execute a Section 5311 grant amendment (KK-11-012) in the amount of \$249,086.76 with the Texas Department of Transportation (TxDOT), State Project No. RPT 1101(24) Project Grant Agreement No. 51124F017 for the operation of the El Paso County Rural Transit Program in Fiscal Year 2011.

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

25. Approve and authorize the County Judge to execute a Memorandum of Agreement (KK-10-210) and Non-Disclosure Statement (KK-11-007) with Fort Bliss and Ruby Mountain Incorporated in conjunction with El Paso County's Geothermal Resource Characterization Project at Fort Bliss funded by the U. S. Department of Energy.

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

26. Approve and authorize the County Judge to execute a Contract Amendment with VPSI Incorporated to extend the current contract (KK-08-042) for one year to continue the operation of the County Vanpool Program.

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

27. Approve and authorize the County Judge to sign and submit on behalf of the El Paso County Juvenile Probation Department Grant Application No. 1335813 to the Governor's Office, Criminal Justice Division, for the El Paso County Probation Supervision Tools and Interventions Program to assist with the costs associated with the program operations. The grant application and resolution has been reviewed and approved as to form by the County Attorney's Office: KK-10-601. Additional backup information provided. Additional backup information received.

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

28. Approve and authorize the County Judge to sign and submit on behalf of the El Paso County Juvenile Probation Department Grant Application No. 1802807 to the Governor's Office, Criminal Justice Division, for the El Paso County Juvenile Drug Court. The grant application and resolution has been reviewed and approved as to form by the County Attorney's Office: KK-10-597. Additional backup information provided. Additional backup information received.

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

29. Approve the committee's recommendation to approve waiving the hiring freeze for Requests #2011-001 for a Trial Attorney, #2011-002 for a Trial Team Chief, #2011-009 for an Office Specialist, #2011-010 for an Office Specialist, Intermediate, #2011-011 for an Account Clerk, Senior, and any subsequent vacancies in the department that result from filling any of the positions internally for the District Attorney's Office contingent upon the positions not being filled prior to meeting the original 6 week hiring freeze requirements.

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

30. Approve the committee's recommendation to approve waiving the hiring freeze for Request #2011-004 for an Administrative Assistant, Senior position and any subsequent vacancies in the department that result from filling the position internally for the Tax 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

31. Approve the committee's recommendation to approve waiving the hiring freeze for Requests #2011-005 for Court Coord./Data Entry position, #2011-006 for a (Warrants) Clerk, and #2011-007 for a (Writ of Execution) Clerk and any subsequent vacancies in the department that result from filling the positions internally for the Sheriff's Office.

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

32. Approve the Committee's recommendation to approve waiving the hiring freeze for Request#2011-008 for an Office Specialist, Senior position to be filled on a long term temporary basis (up to one year) due to an employee on military leave for the County Clerk's Office.

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

33. Approve the Committee's recommendation to approve waiving the hiring freeze for Request #2011-012 for a CEA 4-H Program Coordinator position that the County subsidizes the wages on for the Agriculture Cooperative 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

34. Approve the rehire of two County retirees, Kevin Quinn and Roberto Vasquez, for the 168th District Court effective 01/03/2011 as required by the Texas County and Retirement System and County policy rehiring of retirees.

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

35. Approve and authorize the Human Resources Director to complete and sign the disclosure statement with HCC Life Insurance for the County Stop Loss Coverage.

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

36. Authorize Purchasing Agent to Solicit Bids for Advertising Bids/Legal Ads

Submitted by: Purchasing Agent Piti Vasquez, Purchasing

37. Accept donation to Road and Bridge Department of 6,000 tons of concrete rip-rap from Tug-Hill Construction.

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

38. Approve and Authorize the County Judge to sign the Overtime Agreement for reimbursement for 1 Lieutenant, 1 Sergeant and 7 Detectives through the Organized Crime Drug Enforcement Task Force (OCDETF) Program.

Submitted by: Lieutenant Robert Flores, EPCSO-HIDTA Task Force

39. Approve and authorize the County Judge to sign the amended Equitable Sharing Agreement and Certification for the El Paso County Sheriff's Office (KK#10-518).

Submitted by: Sheriff Richard D. Wiles, EPCSO-Budget

40. Approve and authorize the County Judge to execute a grant application for submission to the Paso del Norte Health Foundation for funding for the El Paso County Sheriff's Office-SMOKE FREE Project from April 1, 2011 to March 31, 2012.

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

41. Approve and authorize the transfer of \$400.00 from Index SHERIFFACADT-6201 to SHERIFFACADT-6703, in order to cover for On-Line Testing Exam Renewal Fee's administered to 70 Jailers and 95 Peace Officers.

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

42. Approve and authorize the acceptance of Donated Books for Inmate Use from Mrs. Annick Schafer (Friends Westside Library) and Mrs. Helen Neimer (Friends for the Memorial Park Library).

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

43. Approve and authorize the removal from inventory and transfer of items, as listed in backup, from the West Texas HIDTA to the Purchasing Department.

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

44. Approve and authorize the Purchasing Agent to solicit bids for Janitorial Supplies. Specifications have been submitted to County Purchasing.

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

45. Approve and authorize to transfer unclaimed/abandoned property for the Detention Facility to the County Purchasing Agent for disposal. Please see attachment.

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

REPORTS

46. Accept the following quarterly reports:

c) Family and Community Services Department

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

d) Road and Bridge Report

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

e) Office of the Constable, Pct. 2

Submitted by: Office Specialist-On behalf of Constable Gammon Corrina Macias ,
Constable Precinct 2

g) San Elizario Genealogy and Historical Society

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

h) Emergency Management

Submitted by: , County Clerk's Office

VOTE: YES – Judge Escobar, Lewis, Haggerty

NO – None

**POSTPONED - FISCAL YEAR 2010 CHAPTER 59 ASSET FORFEITURE REPORT
BY LAW ENFORCEMENT AGENCY
FOR OFFICE OF CONSTABLE, PCT. 6**

JANUARY 24, 2111

MOTION # 13 (Item # 18)

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 agenda item to review and authorize JP6/Ch 59 Asset Forfeiture Report/FY2010Original has been submitted to County Attorney for Review.

VOTE: YES – Judge Escobar, Lewis, Haggerty

NO – None

**APPROVED - ADVERTISEMENT OF ASCARATE GOLF COURSE
IN EL PASO TIMES**

JANUARY 24, 2011

MOTION # 14 (Item # 22)

On this day, on motion of Commissioner Lewis, seconded by County Judge Escobar, it is the order of the Court to approve the agenda item to approve and authorize Park, Golf and Aquatics Department to accept an offer to advertise the Ascarate Golf Course using the El Paso Times "The Daily Deal", which is a promotional venture that combines its print edition with its website for advertising purposes and leverages the value of the promotion to defray advertising costs.

VOTE: YES – Judge Escobar, Lewis, Haggerty

NO – None

**POSTPONED - CHAPTER 381 ECONOMIC DEVELOPMENT AGREEMENT
WITH BOSCH BRAKE COMPONENTS LLC**

JANUARY 24, 2011

MOTION # 15 (Item # 47)

On this day, on motion of County Judge Escobar, seconded by Commissioner Haggerty, it is the order of the Court to postpone for one week the agenda item to approve and authorize the County Judge to sign the Chapter 381 Economic Development Agreement with Bosch Brake Components LLC.

VOTE: YES – Judge Escobar, Lewis, Haggerty

NO – None

**APPROVED - AMENDMENT TO INTERLOCAL AGREEMENT
WITH CITY OF EL PASO AND HOSPITAL DISTRICT
REGARDING MENTAL HEALTH MENTAL RETARDATION CENTER**

JANUARY 24, 2011

MOTION # 16 (Item # 49)

On this day, on motion of Commissioner Haggerty, seconded by County Judge Escobar, it is the order of the Court approve the agenda item to approve and authorize the County Judge to sign an amendment to the interlocal agreement terminating the City of El Paso's participation in the operation of the El Paso Mental Health and Mental Retardation Center effective immediately upon execution of the amendment by all parties.

VOTE: YES – Judge Escobar, Lewis, Haggerty

NO – None

**APPROVED - AS AMENDED, INTERLOCAL AGREEMENT WITH CITY OF EL PASO
AND HOSPITAL DISTRICT
REGARDING MENTAL HEALTH MENTAL RETARDATION CENTER**

JANUARY 24, 2011

MOTION # 17 (Item # 48)

On this day, on motion of County Judge Escobar, seconded by Commissioner Lewis, it is the order of the Court to approve the agenda item to approve and authorize the County Judge to sign the interlocal agreement, as amended, with the City of El Paso and the El Paso County Hospital District regarding the El Paso Mental Health and Mental Retardation Center.

VOTE: YES – Judge Escobar, Lewis

NO – Haggerty

**APPROVED - COMMITTEE APPOINTED TO SELECT NOMINEES FOR
MENTAL HEALTH MENTAL RETARDATION CENTER BOARD OF DIRECTORS**

JANUARY 24, 2011

MOTION # 18 (Item # 50)

On this day, on motion of County Judge Escobar, seconded by Commissioner Lewis, regarding the agenda item to discuss and take appropriate action to create a process for the seating of members to the MHMR Board of Directors, it is the order of the Court to appoint a committee composed of County Judge Escobar; Commissioner Sergio Lewis; Rita Ruelas, Project Director, Border Children's Mental Health Collaborative; and representatives from the County Attorney's Office and the County Auditor's Office to select nominees for the Mental Health Mental Retardation Center Board of Directors. Further, to adopt the application form, the questionnaire; to post immediately, and to return to Commissioners Court with recommendations.

VOTE: YES – Judge Escobar, Lewis, Haggerty

NO – None

MEETING RECESSED

JANUARY 24, 2011

MOTION # 19

On this day, it was announced that Commissioners Court would recess for five minutes.

The Court recessed at 1:40 p.m.

MEETING RECONVENED

JANUARY 24, 2011

MOTION # 20

On this day, Commissioners Court reconvened into regular open session at 1:58 p.m.

**DELETED - APPOINTMENT OF REPRESENTATIVE TO CITY OF EL PASO'S
COMPREHENSIVE PLAN ADVISORY SUBCOMMITTEE**

JANUARY 24, 2011

MOTION # 21 (Item # 51)

On this day, on motion of County Judge Escobar, seconded by Commissioner Haggerty, it is the order of the Court to delete the agenda item to discuss and take appropriate action to appoint a County representative to the City of El Paso's Comprehensive Plan Advisory Subcommittee.

VOTE: YES – Judge Escobar, Lewis, Haggerty

NO – None

POSTPONED - REPORT FROM TRAVEL COMMITTEE

JANUARY 24, 2011

MOTION # 22 (Item # 52)

On this day, on motion of Commissioner Haggerty, seconded by County Judge Escobar, it is the order of the Court to postpone for one week the agenda item to receive a report on County travel from the Travel Committee.

VOTE: YES – Judge Escobar, Lewis, Haggerty

NO – None

**APPROVED - NOTICE TO PROCEED FOR CONTRACT
WITH TYLER TECHNOLOGIES FOR ODYSSEY SOFTWARE;
APPROVED - AS AMENDED, ALLOCATION OF FUNDING;
APPROVED - ISSUANCE OF PAYMENT TO TYLER TECHNOLOGIES**

JANUARY 24, 2011

MOTION # 23 (Item # 53)

On this day, on motion of Commissioner Haggerty, seconded by County Judge Escobar, it is the order of the Court to approve the agenda item, as amended, to discuss and take appropriate action regarding issuance of the Notice to Proceed for the Odyssey software contract with Tyler Technologies and adjustments to the request for project funds by County Departments. Authorize the County Auditor to issue the initial payment of \$400,900 to Tyler Technologies, subject to any applicable retainage provision. \$5,352,325 has been allocated in CPCAPITAL07, \$34,800 will be taken from the JP Technology Fund. An additional \$69,452 is being requested from CPCAPITAL07.

VOTE: YES – Judge Escobar, Lewis, Haggerty

NO – None

**APPROVED - EXTENSION OF WORKERS COMPENSATION COVERAGE
TO ELECTED OFFICIALS**

JANUARY 24, 2011

MOTION # 24 (Item # 54)

On this day, on motion of Commissioner Haggerty, seconded by County Judge Escobar, it is the order of the Court to approve the agenda item to discuss and take appropriate action regarding extending workers compensation coverage to elected officials.

VOTE: YES – Judge Escobar, Lewis, Haggerty

NO – None

**APPROVED - REAPPOINTMENT OF SERVANDO HERNANDEZ
AS NOMINEE FROM EL PASO COUNTY CIVIL SERVICE COMMISSION;
APPROVED - REAPPOINTMENT OF TERRY PASQUALONE
AS NOMINEE FROM EL PASO COUNTY BAR ASSOCIATION;
APPROVED - REAPPOINTMENT OF JACK MCGRATH
AS NOMINEE FROM RIO GRANDE COUNCIL OF GOVERNMENTS
ALTERNATE DISPUTE RESOLUTION CENTER;
APPROVED - REAPPOINTMENT OF SUSAN BARLOW
AS NOMINEE FROM EL PASO SOCIETY
FOR HUMAN RESOURCE MANAGEMENT;
APPROVED - APPOINTMENT OF EVELINA ORTEGA
AS NOMINEE FROM SHERIFF'S OFFICE CIVIL SERVICE COMMISSION
TO ETHICS COMMISSION**

JANUARY 24, 2011

MOTION # 25 (Item # 55)

On this day, on motion of Commissioner Haggerty, seconded by Commissioner Lewis, regarding the agenda item to discuss and take appropriate action regarding selection of members for Ethics Commission from nominees from outside entities, it is the order of the Court to approve and authorize the following:

Reappointment of Servando Hernandez, nominated by the El Paso County Civil Service Commission;

Reappointment of Terry Pasqualone, nominated by the El Paso County Bar Association;

Reappointment of Jack McGrath, nominated by the Rio Grande Council of Governments Alternate Dispute Resolution Center;

Reappointment of Susan Barlow, nominated by the El Paso Society for Human Resource Management;

Appointment of Evelina Ortega, nominated by the Sheriff's Office Civil Service Commission

VOTE: YES – Judge Escobar, Lewis, Haggerty

NO – None

**APPROVED - ADDITION TO COUNTY STATE LEGISLATIVE AGENDA FOR 2011,
82nd LEGISLATIVE SESSION,
REGARDING INCREASED COURT COSTS IN CIVIL CASES FOR INTERPRETERS**

JANUARY 24, 2011

MOTION # 26 (Item # 56)

On this day, on motion of Commissioner Haggerty, seconded by Commissioner Lewis, it is the order of the Court to approve the addition of the following to the County State Legislative Agenda for 2011 for the 82nd Legislative Session:

Amend the Civil Practice and Remedies Code to increase the court costs in civil cases for interpreters from \$3 to \$20.

VOTE: YES – Judge Escobar, Lewis, Haggerty

NO – None

**APPROVED - ADDITION TO COUNTY STATE LEGISLATIVE AGENDA FOR 2011,
82nd LEGISLATIVE SESSION,
REGARDING EXPANDING MODIFICATIONS TO ETHICS LEGISLATION**

JANUARY 24, 2011

MOTION # 27 (Item # 56)

On this day, on motion of Commissioner Haggerty, seconded by County Judge Escobar, it is the order of the Court to approve the addition of the following to the County State Legislative Agenda for 2011 for the 82nd Legislative Session:

Expanding the modifications to the Ethics legislation passed in the previous session as follows:

Clarification to existing language in amendment dealing with retaliation making it very clear that a public servant in the course of their good faith participation in a complaint is subject to this prohibition of retaliation.

Clarifying language – in the statute there is the establishment of a preliminary review committee. In a couple of places in the legislation the words “committee” and “commission” are switched, so that where the committee was the intended context, it was called commission. Therefore, there is a need for language for clean up purposes.

Use of calendar days in the modification so that there is a consistent way to do timelines.

VOTE: YES – Judge Escobar, Lewis, Haggerty

NO – None

**DELETED - BID AWARDED - EVIDENCE PRESENTATION VIDEO SYSTEMS
FOR FIVE COURTROOMS FOR HEARINGS/TRIALS**

JANUARY 24, 2011

MOTION # 28 (Item # 57)

On this day, on motion of County Judge Escobar, seconded by Commissioner Haggerty, it is the order of the Court to delete the agenda item regarding Disposition of bid No. 10-057, Evidence Presentation Video Systems for (5) Courtrooms for Hearings/Trials.

VOTE: YES – Judge Escobar, Lewis, Haggerty

NO – None

BID AWARDED - BATTERIES FOR SHERIFF'S DEPARTMENTS VEHICLES

JANUARY 24, 2011

MOTION # 29 (Item # 58)

On this day, on motion of Commissioner Haggerty, seconded by County Judge Escobar, it is the order of the Court to award Bid No. 10-073, Bid - Batteries for the Sheriff's Departments Vehicles, to the low bidders, as highlighted on the spreadsheets.

VOTE: YES – Judge Escobar, Lewis, Haggerty

NO – None

**APPROVED - PURCHASING AGENT TO REBID
INMATE EDUCATIONAL SERVICES
FOR DOWNTOWN AND ANNEX BUREAUS**

JANUARY 24, 2011

MOTION # 30 (Item # 59)

On this day, on motion of Commissioner Haggerty, seconded by Commissioner Lewis, it is the order of the Court to authorize the Purchasing Agent to rebid RFP No.10-078 - RFP - Inmate Educational Services for Downtown and Annex Bureaus.

VOTE: YES – Judge Escobar, Lewis, Haggerty

NO – None

BID AWARDED - INSTALLATION OF WATER WELLS AT ASCARATE PARK

JANUARY 24, 2011

MOTION # 31 (Item # 60)

On this day, on motion of Commissioner Lewis, seconded by County Judge Escobar, it is the order of the Court to award RFP No. 10-084 - Installation of Water Wells at Ascarate Park, to Anthony Pump and Drilling, Inc.

VOTE: YES – Judge Escobar, Lewis, Haggerty

NO – None

SUBDIVISION APPROVAL - PRESIDIO DOLORES

JANUARY 24, 2011

MOTION # 32 (Item # 61a)

On this day, on motion of County Judge Escobar, seconded by Commissioner Haggerty, it is the order of the Court to approve PRESIDIO DOLORES, being a portion of Tract 12, Block 26, San Elizario Grant, El Paso County, TX, containing 9.34 acres.

VOTE: YES – Judge Escobar, Lewis, Haggerty

NO – None

EXECUTIVE SESSION

JANUARY 24, 2011

MOTION # 33 (Item # 62)

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.

62a) Discuss the pending claim and potential litigation regarding the El Paso Independent School District Police Department; County Attorney number LC-10-036; pursuant to Texas Government Code Section 551.071.

Submitted by: Assistant County Attorney Ralph E. Girvin, County Attorneys Office

62b) Discuss the pending claim of Leigh and Klaus Messerer individually and in their capacity as parents and guardians of their minor daughter, Lucy Messerer; county attorney file number LC-11-002 pursuant to Texas Government Code Section 551.071.

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

62c) Discuss subrogation claim regarding Amaris Brinks, county attorney file number PC-11-001 pursuant to Texas Government Code Section 551.071.

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

62d) Discuss the pending claim of Michael Sean Bolton; county attorney file number LC-10-109; pursuant to Texas Government Code Section 551.071.

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

62e) Discuss subrogation claim regarding Raul Dorado, CA number PC-11-002, pursuant to Texas Government Code Section 551.071.

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

The Court recessed at 2:56 p.m.

MEETING RECONVENED

JANUARY 24, 2011

MOTION # 34

On this day, Commissioners Court reconvened into regular open session following executive session at 3:21 p.m.

**APPROVED - SETTLEMENT AGREEMENT REGARDING PENDING CLAIM
AND POTENTIAL LITIGATION REGARDING
EL PASO INDEPENDENT SCHOOL DISTRICT POLICE DEPARTMENT;
COUNTY ATTORNEY NUMBER LC-10-036**

JANUARY 24, 2011

MOTION # 35 (Item # 63)

On this day, on motion of Commissioner Haggerty, seconded by County Judge Escobar, regarding the agenda item to discuss and take appropriate action on the pending claim and potential litigation regarding the El Paso Independent School District Police Department; County Attorney number LC-10-036, it is the order of the Court to approve and authorize the settlement agreement in the amount of \$67,398.61, and to authorize the County Judge to sign the agreement.

VOTE: YES – Judge Escobar, Lewis, Haggerty

NO – None

POSTPONED - EXECUTIVE SESSION AND REGULAR AGENDA ITEMS

JANUARY 24, 2011

MOTION # 36 (Items # 62b, 64)

On this day, on motion of County Judge Escobar, seconded by Commissioner Haggerty, it is the order of the Court to postpone for one week the following executive session and related regular session agenda items.

62b) Discuss the pending claim of Leigh and Klaus Messerer individually and in their capacity as parents and guardians of their minor daughter, Lucy Messerer; county attorney file number LC-11-002 pursuant to Texas Government Code Section 551.071. Submitted by: Assistant County Attorney Omar Villa, County Attorneys Office

64. Discuss and take action on the pending claim of Leigh and Klaus Messerer individually and in their capacity as parents and guardians of their minor daughter, Lucy Messerer; county attorney file number LC-11-002.

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

VOTE: YES – Judge Escobar, Lewis, Haggerty

NO – None

**ACCEPTED - PAYMENT IN SETTLEMENT OF SUBROGATION CLAIM
REGARDING AMARIS BRINKS; COUNTY ATTORNEY FILE NUMBER PC-11001**

JANUARY 24, 2011

MOTION # 37 (Item # 65)

On this day, on motion of Commissioner Haggerty, seconded by County Judge Escobar, it is the order of the Court to approve the agenda item to accept payment in the amount of \$653.07 in settlement of the subrogation claim regarding Amaris Brinks; county attorney file number PC-11001.

VOTE: YES – Judge Escobar, Lewis, Haggerty

NO – None

**DENIED - PENDING CLAIM OF MICHAEL SEAN BOLTON;
COUNTY ATTORNEY FILE NUMBER LC-10-109**

JANUARY 24, 2011

MOTION # 38 (Item # 66)

On this day, on motion of County Judge Escobar, seconded by Commissioner Haggerty, it is the order of the Court to deny the agenda item to discuss and take appropriate action on the pending claim of Michael Sean Bolton; county attorney file number LC-10-109.

VOTE: YES – Judge Escobar, Lewis, Haggerty

NO – None

POSTPONED - EXECUTIVE SESSION AND REGULAR AGENDA ITEMS

JANUARY 24, 2011

MOTION # 39 (Items # 62e, 67)

On this day, on motion of County Judge Escobar, seconded by Commissioner Haggerty, it is the order of the Court to postpone for one week the following executive session and related regular session agenda items.

62e) Discuss subrogation claim regarding Raul Dorado, CA number PC-11-002, pursuant to Texas Government Code Section 551.071.

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

67. Accept Payment in the amount of \$1,858.65 in settlement of the subrogation claim regarding Raul Dorado, County Attorney number PC-11-002.

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

VOTE: YES – Judge Escobar, Lewis, Haggerty

NO – None

MEETING ADJOURNED

JANUARY 24, 2011

MOTION # 40

On this day, there being no further business to discuss, the meeting was adjourned at 3:25 p.m.

MEETING ADJOURNED - SINE DIE

ATTEST:

DELIA BRIONES, COUNTY CLERK
EL PASO COUNTY, TEXAS

PATRICIA PIETZYK, DEPUTY CLERK

EXAMINED AND APPROVED BY ME THIS:

_____ DAY OF _____, 2011.

COUNTY JUDGE VERONICA ESCOBAR, PRESIDING