

**MONDAY, NOVEMBER 19, 2012
COMMISSIONERS COURT MET IN REGULAR MEETING
AT 9:34 A.M.
WITH THE FOLLOWING MEMBERS PRESENT**

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

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

PATRICIA PIETZYK, DEPUTY CLERK

MEETING CONVENED

NOVEMBER 19, 2012

MOTION # 1

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

PLEDGE OF ALLEGIANCE

NOVEMBER 19, 2012

MOTION # 2

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

**APPROVED - CONSENT AGENDA;
POSTPONED - QUARTERLY REPORTS FROM OFFICE OF CONSTABLE, PCT. 3,
AND ADULT PROBATION DEPARTMENT**

NOVEMBER 19, 2012

MOTION # 3

On this day, on motion of Commissioner Perez, seconded by Commissioner Chozet, it is the order of the Court to approve the following Consent Agenda items, and to postpone for one week the quarterly reports from the Office of the Constable, Pct. 3, and from the Adult Probation Department.

3. Approve Minutes of the regular meetings of September 10, 2012; September 17, 2012; October 29, 2012; November 5, 2012, and the special meetings of November 1, 2012; November 14, 2012, and November 15, 2012.

Submitted by: , County Clerk's Office (915) 546-2071

4. Approve and authorize the street closures for the matachines in honor of the Virgin of Guadalupe on Saturday, December 1, 2012, at 10:00 a.m. The El Paso Sheriff's Office has approved the notification.

Submitted by: Commissioner Tania Chozet, Pct. 3 (915) 546-2144

5. Pursuant to the Texas Local Government Code, § 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, CPA, CIO Edward A. Dion, County Auditor's Office (915) 546-2040

6. Approve Amendment No. 05 to the County of El Paso's 2012-2013 operating budget. This budgetary amendment will increase Grants by \$621,458.00 as noted on the attachment, thus increasing the overall operating budget of \$289,639,485.02 to \$290,260,943.02.

Submitted by: County Auditor, CPA, CIO Edward A. Dion, County Auditor's Office (915) 546-2040

7. Pursuant to the Texas Local Government Code, §§ 114.023, 114.024, 114.025 and 114.026, please accept the interim financial report for the month ended October 2012. This report is located on the intranet at:

www.epcounty.com/auditor/publications/default.htm

Submitted by: County Auditor, CPA, CIO Edward A. Dion, County Auditor's Office (915) 546-2040

8. Approve and authorize the County Judge to sign the attached letter to release securities pledged to the County by Inter National Bank and held in the County's name at Frost National Bank.

Submitted by: County Auditor, CPA, CIO Edward A. Dion, County Auditor's Office (915) 546-2040

9. Approve and authorize the transfer of a 2 Door Electric Vehicle - Gem 825, Barcode # 114191 from the Purchasing Department Auction Car Lot to the County Clerk's Office.

Submitted by: County Clerk Delia Briones, County Clerk's Office (915) 546-2071

10. In compliance with the El Paso County Code of Ethics, pursuant to Article XII, acknowledge the campaign contributions of \$1,000 or more from the following individuals: Union Pacific Fund for Effective Government and SEIU COPE.

Submitted by: County Judge Veronica Escobar, Commissioners Court (915) 546-2098

11. Approve and authorize a supplemental adjustment to the Border Prosecution Unit grant (CJD) # 2283702/KK-12-0581) in an application to the Criminal Justice Division of the Governor's Office requesting an additional \$100,000 to the original award of \$544,061 for a total of \$644,061 for the continuation of project activities through August 31, 2013. This request does not represent a direct cost to the County of El Paso.

Submitted by: District Attorney Jaime Esparza, District Attorney's Office (915) 546-2059

12. Approve and authorize the County Judge to sign Amendment One to the Contract for Access and Visitation Grant with the Office of the Attorney General to include the Office of the Attorney General's standard termination language, effective September 1, 2012.

Submitted by: Executive Director Jim Fashing, Domestic Relations Office (915) 834-8200

13. Approve and authorize the County Judge to sign a Historic Site Tourist Promotion and Preservation Services Agreement with the El Paso County Historical Commission for \$20,000 for the term beginning October 1, 2012 and ending September 30, 2013.

Submitted by: Director Rosemary V. Neill, Family and Community Services (915) 834-8201

14. 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 the period beginning October 1, 2012 and ending September 30, 2013.

Submitted by: Director Rosemary V. Neill, Family and Community Services (915) 834-8201

15. Approve and authorize the County Judge to sign a Historic Site Tourist Promotion and Preservation Services Agreement for \$47,073 with the San Elizario Genealogy and Historical Society for the tourist promotion of the Los Portales Museum to encourage, promote, and improve historical preservation and restoration for the period beginning October 1, 2012 and ending September 30, 2013.

Submitted by: Director Rosemary V. Neill, Family and Community Services (915) 834-8201

16. Approve and authorize the County Judge to sign Public Transportation Project Grant Agreement Amendment # 2 to Project Grant Agreement 51224F7215 of the Master Grant Agreement 512XXF7050, for the period from September 1, 2012 to August 31, 2013, which adds \$285,067 in funds based on vehicle revenue miles to the project grant agreement to bring compensation to \$559,063 upon the full execution of both parties.

Submitted by: Director Rosemary V. Neill, Family and Community Services (915) 834-8201

17. In compliance with the El Paso County Code of Ethics, pursuant to Section 13, acknowledge the campaign contributions of \$2,500 or more each from the El Paso County Sheriff's Officers Association Political Action Committee and Amen Ayoub for candidate Carlos Leon.

Submitted by: Director Betsy C. Keller, SPHR, Human Resources Department (915) 546-2218

18. Approve and authorize the purchase of Public Official Bonds for newly elected, re-elected, or appointed public officials as required by the Local Government Code for 2013.

Submitted by: Director Betsy C. Keller, SPHR, Human Resources Department (915) 546-2218

19. Approve and authorize the County Judge to sign the maintenance agreement, with addendum, in the amount of \$325 for a 12 month contract with Toshiba Business Solutions (2012-0577). The term of this agreement is from November 19, 2012 to November 18, 2013. Funds are available in CDP-6302 Hardware Maintenance.

Submitted by: IT Director David Garcia, Information Technology Department (915) 546-2041

20. Approve and authorize the transfer of unserviceable equipment, as listed in the backup, from the Information Technology Department to the Purchasing Department for disposal.

Submitted by: IT Director David Garcia, Information Technology Department (915) 546-2041

21. Approve and authorize the purchase of a Printer/Copier/Scanner for Justice of the Peace Precinct 6, Place 2. Item was approved by the Council of Justices for purchase from the Justice of the Peace Technology Account in the amount not to exceed \$2,700. Items for review are listed in backup material. Funds are available from the Justice of the Peace Technology Account.

Submitted by: Justice of the Peace Brian J. Haggerty, Precinct 2 (915) 751-7575

22. Approve and authorize the add-on of the opening/closing reports to the Justice Court, Precinct 4 security alarm system monitoring contract with Resident Technology in the amount of \$96.00 per year, billed at \$8.00 per month. The funds are available from the Justice of the Peace Security Funds Sub-object 6761. Item was approved by the Council of Justices on November 2nd, 2012. Information is listed in the backup material.

Submitted by: Justice of the Peace Brian J. Haggerty, Precinct 2 (915) 751-7575

23. Approve and authorize El Paso County, on behalf of the El Paso County Juvenile Probation Department, to accept notice of termination of contract with Alternatives Centre for Behavioral Health.

Submitted by: Chief Juvenile Probation Officer Roger Martinez, Juvenile Probation Department (915) 849-2545

24. Approve and authorize the El Paso County Judge, on behalf of the El Paso County Juvenile Probation Department, to sign the First Amendment extending KK-10-0295 on a month to month basis with Reed and Associates for sex offender counseling services until a new bid is awarded and a contract executed. County Attorney's Office has reviewed and approved as to legal form (2012-0578).

Submitted by: Chief Juvenile Probation Officer Roger Martinez, Juvenile Probation Department (915) 849-2545

25. 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., Public Works Department (915) 546-2015

27. Approve and authorize the County Judge to sign the Contract Amendment with Structural Engineering Associates, Inc. to add material testing services to their contract for the Toll Plaza Project. The cost for these additional services is \$51,724.24. Funds are available in CPCAPITAL2012. This was approved by the Procurement Review Panel on November 5, 2012.

Submitted by: Public Works Director Ernesto Carrizal III, P.E., Public Works Department (915) 546-2015

28. Approve and authorize an increase to the Golf Course Temp Pool in the amount of \$23,825 (includes fringe). Funding to come from the deletion of a vacant full time regular Park Maintenance Worker, G6, entry level position, for no overall impact to the General Fund.

Submitted by: Public Works Director Ernesto Carrizal III, P.E., Public Works Department (915) 546-2015

29. Approve and authorize the County Judge to sign the Memorandum of Understanding with El Paso Community College to allow the County Golf Course Professional Golf Association Professional to provide golf classes at Ascarate Golf Course for the period from September 1, 2012 to August 31, 2013. El Paso Community College will pay the County for this service.

Submitted by: Public Works Director Ernesto Carrizal III, P.E., Public Works Department (915) 546-2015

30. Approve and authorize the County Judge to sign the agreement with NIKE, Inc., to sell NIKE merchandise at the Ascarate Golf Course Pro Shop.

Submitted by: Public Works Director Ernesto Carrizal III, P.E., Public Works Department (915) 546-2015

31. Approve and authorize the adoption of the El Paso County Property Naming Policy.

Submitted by: Public Works Director Ernesto Carrizal III, P.E., Public Works Department (915) 546-2015

32. Approve and authorize the transfer and removal from inventory of items from the County Clerk's Office to the Purchasing Department. See attachment.

Submitted by: Assistant Purchasing Agent Joe Lopez, Purchasing Department (915) 546-2048

33. Approve and authorize the County Purchasing Department to solicit bids through the General Services Administration for the Replacement of Carpet on the 2nd and 10th Floors of the County Courthouse. The specifications have been reviewed and approved by the Procurement Review Panel.

Submitted by: Public Works Director Ernesto Carrizal III, P.E., Public Works Department (915) 546-2015

36. Approve and authorize the transfer of items and removal from inventory from the Sheriff's Office - Division of HIDTA Financial Disruption and the Sheriff's Downtown Jail, to the Purchasing Department, as listed in the backup.

Submitted by: Assistant Purchasing Agent Joe Lopez, Purchasing Department (915) 546-2048

37. Approve and authorize the transfer of items and removal from inventory from the Sheriff's Jail Annex, as listed in the backup, to the Purchasing Department for a future auction.

Submitted by: Assistant Purchasing Agent Joe Lopez, Purchasing Department (915) 546-2048

38. Approve and authorize the County Judge to sign the Organized Crime Drug Enforcement Task Force (OCDETF) Agreement for the El Paso County Sheriff's Office, Special Operations/HIDTA Section, to be reimbursed for any expenses incurred for OCDETF Investigations and Equipment/Supplies from November 1, 2012 through September 30, 2013. The total cumulative amount for reimbursement is set at \$300,000.

Submitted by: Lieutenant Robert Flores, EPCSO-HIDTA Task Force (915) 832-6011

39. Approve and authorize the County Judge to sign one (1) Overtime Agreement for reimbursement for 1 Lieutenant, 1 Sergeant and 7 Detectives through the Organized Crime Drug Enforcement Task Force (OCDETF) from November 19, 2012 to September 30, 2013 in the amount of \$5,000.

Submitted by: Lieutenant Robert Flores, EPCSO-HIDTA Task Force (915) 832-6011

40. Approve and authorize the County Judge to sign the Interlocal Agreement with the Drug Enforcement Agency for the El Paso County Sheriff's Office incinerator use at \$.40 per pound from November 19, 2012 to September 30, 2013 (Contract #2012-0572).

Submitted by: Sheriff Richard D. Wiles, EPCSO-Grant Administrator (915) 538-2216

41. Approve and authorize the County Judge to sign the Radio Maintenance Contract with R.T.C., Inc. to provide maintenance and repair services for the El Paso County Sheriff's Office - Radio Communications Equipment for the following monthly expenses: Fixed Equipment Infrastructure Major Component in the amount of \$1,903; Vehicle Mounted Equipment Major Component in the amount of \$2,738; and Hand-Held Equipment in the amount of \$2,183 for a total monthly aggregate cost of \$6,824, from November 19, 2012 to November 18, 2013 (Contract # 2012-0573).

Submitted by: Sheriff Richard D. Wiles , EPCSO-Grant Administrator (915) 538-2216

42. Approve and authorize the County Judge to sign the Texas Department of Public Safety Interlocal Agreement with the El Paso County Sheriff's Office for the Crime Records Information Management System (RMS) from October 1, 2012 to September 30, 2013 with an automatic renewal and with no cost to the County (Contract #2012-0470).

Submitted by: Sheriff Richard D. Wiles, EPCSO-Grant Administrator (915) 538-2216

REPORTS

43. Accept the following quarterly reports:

a) Emergency Management

Submitted by: Assistant Emergency Management Coordinator Lt. Ricardo Gonzalez, Emergency Management (915) 240-3172

d) Life Ambulance Service, Inc.

Submitted by: President Rachel B. Harracksingh, Life Ambulance Service, Inc. (915) 772-1642

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

NO – None

PRESENTATION

NOVEMBER 19, 2012

MOTION # 4 (Item # 1)

On this day, Commissioners Court received a presentation and discussion of market conditions affecting long-term debt from the Financial Advisor.

**RECONSIDERED - TWENTIETH AMENDMENT
TO PROFESSIONAL SERVICES AGREEMENT
WITH STRUCTURAL ENGINEERING ASSOCIATES, INC.
FOR TORNILLO - GUADALUPE U.S. INTERNATIONAL
PORT OF ENTRY AND INTERNATIONAL BRIDGE;
RECONSIDERED - CHANGE IN ALLOCATION OF FUNDING
FOR ASCARATE PARK BUDGET**

NOVEMBER 19, 2012

MOTION # 5 (Items # 27, 28)

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

27. Approve and authorize the County Judge to sign the Contract Amendment with Structural Engineering Associates, Inc. to add material testing services to their contract for the Toll Plaza Project. The cost for these additional services is \$51,724.24. Funds are available in CPCAPITAL2012. This was approved by the Procurement Review Panel on November 5, 2012.

Submitted by: Public Works Director Ernesto Carrizal III, P.E., Public Works Department (915) 546-2015

28. Approve and authorize an increase to the Golf Course Temp Pool in the amount of \$23,825 (includes fringe). Funding to come from the deletion of a vacant full time regular Park Maintenance Worker, G6, entry level position, for no overall impact to the General Fund.

Submitted by: Public Works Director Ernesto Carrizal III, P.E., Public Works Department (915) 546-2015

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

NO – None

**APPROVED - CHANGE ORDER NO. 1, WITH CORRECTIONS,
WITH STRUCTURAL ENGINEERING ASSOCIATES, INC.
FOR TORNILLO - GUADALUPE U.S. INTERNATIONAL
PORT OF ENTRY AND INTERNATIONAL BRIDGE**

NOVEMBER 19, 2012

MOTION # 6 (Item # 26)

On this day, on motion of Commissioner Perez, seconded by Commissioner Chozet, it is the order of the Court to approve the agenda item, with corrections, to approve and authorize the County Judge to sign Change Order No.1, with corrections, to the Tornillo-Guadalupe New International Bridge Contract in the amount of \$187,344.41 to cover additional work unforeseen by the construction of the Border Fence. Funds are available in CPCAPITAL2012 BONDS. This was approved by the Procurement Review Panel on November 5, 2012.

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

NO – Haggerty

**APPROVED - AS CORRECTED, TWENTIETH AMENDMENT
TO PROFESSIONAL SERVICES AGREEMENT
WITH STRUCTURAL ENGINEERING ASSOCIATES, INC.
FOR TORNILLO - GUADALUPE U.S. INTERNATIONAL
PORT OF ENTRY AND INTERNATIONAL BRIDGE**

NOVEMBER 19, 2012

MOTION # 7 (Item # 27)

On this day, on motion of Commissioner Chozet, seconded by Commissioner Perez, it is the order of the Court to approve the agenda item, as corrected, to approve and authorize the County Judge to sign the Contract Amendment with Structural Engineering Associates, Inc. to add material testing services to their contract for the Toll Plaza Project. The cost for these additional services is \$51,724.24. Funds are available in CPCAPITAL2012. This was approved by the Procurement Review Panel on November 5, 2012. Corrected backup information received.

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

NO – None

**POSTPONED - BID AWARDED - AS CORRECTED,
TWO EACH 2013 FIFTEEN (15) PASSENGER VANS
FOR EL PASO SHERIFF'S DEPARTMENT;
POSTPONED - BID AWARDED - VEHICLES
FOR EL PASO SHERIFF'S DEPARTMENT**

NOVEMBER 19, 2012

MOTION # 8 (Items # 34, 35)

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

34. As corrected, recommendation that award be made to: Caldwell Country Chevrolet for Bid #12-060, Two each 2013 Fifteen (15) Passenger Vans for the El Paso Sheriff's Department, with an approximate cost of \$49,550.

Submitted by: Assistant Purchasing Agent Joe Lopez, Purchasing Department (915) 546-2048

35. Recommendation that award be made to: Caldwell Country Ford for Bid #12-062, Vehicles for the El Paso Sheriff's Department, with an approximate cost of \$2,041,753.

Submitted by: Assistant Purchasing Agent Joe Lopez, Purchasing Department (915) 546-2048

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

NO – None

**POSTPONED - CHANGE IN ALLOCATION OF FUNDING
FOR ASCARATE PARK BUDGET**

NOVEMBER 19, 2012

MOTION # 9 (Item # 28)

On this day, on motion of Commissioner Lewis, seconded by Commissioner Perez, it is the order of the Court to postpone for one week the agenda item to approve and authorize an increase to the Golf Course Temp Pool in the amount of \$23,825 (includes fringe). Funding to come from the deletion of a vacant full time regular Park Maintenance Worker, G6, entry level position, for no overall impact to the General Fund.

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

NO – None

PUBLIC COMMENT

NOVEMBER 19, 2012

MOTION # 10 (Item # 2)

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

Jack Bradford, concerned citizen, commented on the County debt, County projects and the Sportspark.

Commissioner Anna Perez spoke regarding the Sportspark.

Salvador Gomez, concerned citizen, asked for a waiver of a fee charged for services that were not performed.

**ACCEPTED AND APPROVED - 2012 DEFINITIONS FOR BUILDING;
2012 DEFINITIONS FOR HEAVY/HIGHWAY;
PREVAILING WAGE RATES FOR 2012 BUILDING,
AND PREVAILING WAGE RATES FOR 2012 HEAVY/HIGHWAY**

NOVEMBER 19, 2012

MOTION # 11 (Item # 44)

On this day, on motion of Commissioner Haggerty, seconded by Commissioner Chozet, it is the order of the Court to accept and approve the agenda item to review, discuss and approve 2012 Definitions for Building; 2012 Definitions for Heavy/Highway; Prevailing Wage Rates for 2012 Building, and Prevailing Wage Rates for 2012 Heavy/Highway.

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

NO – None

**POSTPONED - INCREASE IN SALARY FOR POSITION
ON COUNTY ATTORNEY'S OFFICE MANNING TABLE**

NOVEMBER 19, 2012

MOTION # 12 (Item # 45)

On this day, on motion of Commissioner Haggerty, seconded by Commissioner Chozet, it is the order of the Court to postpone for one week the agenda item to approve and authorize a two level increase on the Attorney Salary Plan from Senior Attorney Level 3 (\$77,486.82) to Level 5 (\$88,714.99) for prospective County Attorney's Office employee Kathleen Anderson.

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

NO – None

**APPROVED - ALLOCATION OF CAPITAL FUNDING FOR ROOF
FOR FISCAL YEAR 2013;
APPROVED - AMENDMENT TO AMENDMENT NO. 05
TO COUNTY 2012-2013 OPERATING BUDGET**

NOVEMBER 19, 2012

MOTION # 13 (Items # 46, 6)

On this day, on motion of Commissioner Haggerty, seconded by Commissioner Lewis, regarding the agenda item to approve and authorize the allocation of capital funding for Fiscal Year 2013. These allocations are in accordance with the County's Capital Improvement Plan. Further, instruct departments to take necessary action to complete these acquisitions by February 28, 2013; it is the order of the Court to go with the County Auditor's Office recommendation regarding the roof.

Further, it is the order of the Court to approve and authorize an amendment to the agenda item to approve amendment No. 05 to the County of El Paso's 2012-2013 operating budget. This budgetary amendment will increase Grants by \$621,458.00 as noted on the attachment, thus increasing the overall operating budget of \$289,639,485.02 to \$290,260,943.02; to authorize the County Auditor's Office to amend the budget and to submit an amendment accordingly to classify the appropriations within the right accounts.

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

NO – None

POSTPONED - ALLOCATION OF CAPITAL FUNDING FOR FISCAL YEAR 2013

NOVEMBER 19, 2012

MOTION # 14 (Item # 46)

On this day, on motion of Commissioner Chozet, seconded by Commissioner Lewis, it is the order of the Court to postpone for one week the agenda item to approve and authorize the allocation of capital funding for Fiscal Year 2013. These allocations are in accordance with the County's Capital Improvement Plan. Further, instruct departments to take necessary action to complete these acquisitions by February 28, 2013.

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

NO – None

**APPROVED - PROCUREMENT REVIEW COMMITTEE
TO DRAFT POLICIES RELATED TO LOCAL PREFERENCES
FOR CERTAIN PURCHASES**

NOVEMBER 19, 2012

MOTION # 15 (Item # 47)

On this day, on motion of Commissioner Haggerty, seconded by Commissioner Lewis, it is the order of the Court to approve the agenda item to discuss and take appropriate action to instruct the Procurement Review Committee (PRP) to draft policies related to local preferences for certain purchases.

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

NO – None

**APPROVED - RESCIND ORDER TO APPROVE SECOND AMENDMENT
TO UNIVERSITY MEDICAL CENTER
INTERLOCAL AGREEMENT FOR EMPLOYEE HEALTH CLINIC;
APPROVED - SECOND AMENDMENT TO INTERLOCAL AGREEMENT
WITH HOSPITAL DISTRICT D/B/A UNIVERSITY MEDICAL CENTER
FOR EMPLOYEE HEALTH CLINIC AT FAMILY YOUTH SERVICES CENTER**

NOVEMBER 19, 2012

MOTION # 16 (Items # 48, 49)

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

48. Rescind the Second Amendment to the University Medical Center Interlocal Agreement (KK-12-149) approved at the Commissioners Court meeting of March 26, 2012, Agenda Item # 32, Motion # 10. The amendment would have allowed access by County Employees to the UMCEP Employee Health Clinic which is no longer necessary due to the proposed amendment (2012-0488) for a clinic at the Family Youth Services Center.

Submitted by: Director Betsy C. Keller, SPHR, Human Resources Department (915) 546-2218

49. Approve and authorize the County Judge to sign the Second Amendment to the University Medical Center (Employee Health Clinic) Interlocal Agreement which will add a second employee health clinic and will be located in the Family Youth Services Center (FYSC).

Submitted by: Director Betsy C. Keller, SPHR, Human Resources Department (915) 546-2218

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

NO – None

**APPROVED - RESCIND ORDER TO APPROVE MAINTENANCE AGREEMENT
AND ADDENDUM WITH XEROX CORPORATION;
APPROVED - MAINTENANCE AGREEMENT AND ADDENDUM
WITH XEROX CORPORATION
FOR INFORMATION TECHNOLOGY DEPARTMENT**

NOVEMBER 19, 2012

MOTION # 17 (Items # 50, 51)

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

50. Rescind the Court Order of July 23, 2012, Motion #3, Item #11 on the Consent Agenda to approve and authorize the County Judge to sign a Xerox maintenance agreement and addendum in the amount of \$745 per month for 48 months between the County of El Paso and Xerox Corporation (KK-2012-0279). Funds are available in CDP-6302, Hardware Maintenance. The term of this agreement is from July 1, 2012 to June 30, 2016.

Submitted by: IT Director David Garcia, Information Technology Department (915) 546-2041

51. Approve and authorize the County Judge to sign the Xerox Maintenance Agreement and Addendum in the amount of \$754 per month for 48 months with Xerox Corporation (2012-0582). The term of the agreement will be from November 1, 2012 to October 31, 2016. Funds are available in CDP-6302 Hardware Maintenance.

Submitted by: IT Director David Garcia, Information Technology Department (915) 546-2041

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

NO – None

**POSTPONED - LEASE AGREEMENT WITH MARY STILLINGER
FOR JUSTICE COURT, PCT. 7**

NOVEMBER 19, 2012

MOTION # 18 (Item # 52)

On this day, on motion of Commissioner Perez, seconded by Commissioner Chozet, 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 lease agreement between the County of El Paso and Mary Stillingner for the property located at 350 Vinton Road. This property will house JP7 for approximately 18 months while the Northwest Annex is being built, in the amount of \$24,000 per year.

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

NO – None

**APPROVED - AS CORRECTED, CREATION OF INDEX
AND RESTRICTION OF USE OF FUNDS
FOR PROCEEDS FROM ABANDONED PROPERTY SALES
FROM SHERIFF'S BORDER CRIME INITIATIVE GRANT**

NOVEMBER 19, 2012

MOTION # 19 (Item # 53)

On this day, on motion of Commissioner Haggerty, seconded by Commissioner Perez, it is the order of the Court to approve the agenda item, as corrected, to discuss and take appropriate action to authorize the Auditor's Office to establish a separate grant fund index for the proceeds from abandoned property sales originating out of the Sheriff's Border Crime Initiative grant and to restrict use of these proceeds to uses authorized under the Border Crime Initiative grant.

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

NO – None

**DENIED - ALLOCATION OF FUNDING
FOR TEMPORARY POSITION ON 171ST DISTRICT COURT MANNING TABLE**

NOVEMBER 19, 2012

MOTION # 20 (Item # 54)

On this day, on motion of County Judge Escobar, seconded by Commissioner Chozet, it is the order of the Court to deny the agenda item to approve and authorize the funding for a temporary Court Coordinator for the 171st District Court for approximately five weeks. The Court's own Court Coordinator plans on leaving within a few weeks. Funds to be taken out of the Council of Judges Administration budget.

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

NO – None

EXECUTIVE SESSION

NOVEMBER 19, 2012

MOTION # 21 (Item # 55)

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.

55a) Pursuant to Texas Government Code Chapter 551.072, discuss a potential offer to purchase a portion or all of 76.963 acres of land located to the north of Pellicano Drive on Loop 375 east.

Submitted by: Assistant Purchasing Agent Jose Lopez, Jr., Purchasing Department
(915) 546-2068

55b) Discuss the litigation styled Juana M. Avila v. El Paso County, Cause No.: EP-12-CV293, County Attorney No. LD-12-037, pursuant to Texas Government Code Section 551.071.

Submitted by: Assistant County Attorney Norberto Flores, County Attorney's Office (915) 546-2050

55c) Discuss grievance submitted by Deborah Copeland, County Attorney No.: GR-12-029, pursuant to Texas Government Code Section 551.071.

Submitted by: Assistant County Attorney Ruben Duarte, County Attorney's Office (915) 546-2050

55d) Discuss the pending claim of Kristi D. Choate, County Attorney No. LC-12-057, pursuant to Texas Government Code Section 551.071.

Submitted by: Assistant County Attorney Ruben Duarte, County Attorney's Office (915) 546-2050

55e) Discuss the pending claims regarding the El Paso Revolving Loan Program; County Attorney file number PC-12-036, pursuant to Texas Government Code Section 551.071.

Submitted by: Assistant County Attorney Manuel Romero, County Attorney's Office (915) 546-2050

55f) Discuss litigation styled Maria L. Rios v. County of El Paso, Cause No.: 2011-2947, County Attorney No. LD-11-084, pursuant to Texas Government Code Section 551.071.

Submitted by: Assistant County Attorney Ian Kaplan, County Attorney's Office (915) 546-2050

The Court recessed at 12:18 p.m.

MEETING RECONVENED

NOVEMBER 19, 2012

MOTION # 22

On this day, Commissioners Court reconvened into regular open session following executive session at 1:30 p.m.

**APPROVED - COUNTY ATTORNEY'S OFFICE TO DEMAND FULL PAYMENT
FROM EACH OF DEFAULTED LOANS IN REVOLVING LOAN PROGRAM
AND TO FILE SUIT AGAINST DEBTORS WHO FAIL TO PAY
PERTAINING TO PENDING CLAIMS REGARDING
EL PASO REVOLVING LOAN PROGRAM;
COUNTY ATTORNEY FILE NUMBER PC-12-036**

NOVEMBER 19, 2012

MOTION # 23 (Item # 56)

On this day, on motion of Commissioner Haggerty, seconded by Commissioner Lewis, regarding the agenda item to discuss and take action on the pending claims regarding the El Paso Revolving Loan Program; County Attorney file number PC-12-036; it is the order of the Court to approve and authorize the County Attorney's Office to demand full payment of each of the fifteen defaulted loans of the County's Revolving Loan Program. Further, to authorize the County Attorney's Office to pursue all legal actions to include filing suit against the debtors who fail to pay in full within thirty days of demand of the notice.

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

NO – None

**APPROVED - NOTIFICATION TO AMERINATIONAL COMMUNITY SERVICES, INC.
TO REMOVE DEFAULTED LOANS FROM PORTFOLIO
OF COUNTY MANAGED LOANS
PERTAINING TO PENDING CLAIMS REGARDING
EL PASO REVOLVING LOAN PROGRAM;
COUNTY ATTORNEY FILE NUMBER PC-12-036**

NOVEMBER 19, 2012

MOTION # 24 (Item # 56)

On this day, on motion of Commissioner Lewis, seconded by Commissioner Haggerty, regarding the agenda item to discuss and take action on the pending claims regarding the El Paso Revolving Loan Program; County Attorney file number PC-12-036; it is the order of the Court to authorize the County Attorney's Office or Rosemary Neill, Director of Family and Community Services, to notify Amerinational Community Services, Inc. to remove the fifteen defaulted loans from their portfolio of County managed loans.

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

NO – None

MEETING ADJOURNED

NOVEMBER 19, 2012

MOTION # 25

On this day, there being no further business to discuss, the meeting was adjourned at 1:34 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 _____, 2012.

COUNTY JUDGE VERONICA ESCOBAR, PRESIDING