

**MONDAY, JULY 22, 2013  
COMMISSIONERS COURT MET IN REGULAR MEETING  
AT 9:33 A.M.  
WITH THE FOLLOWING MEMBERS PRESENT**

**HON. VERONICA ESCOBAR, PRESIDING  
CARLOS LEON,  
SERGIO LEWIS,  
VINCENT PEREZ,**

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

**VACANT, COMMISSIONER, PCT. # 4 - ABSENT**

**ELLEN A. SMYTH, CHIEF ADMINISTRATOR  
PATRICIA PIETZYK, DEPUTY CLERK**

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**MEETING CONVENED**

**JULY 22, 2013**

**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**

**JULY 22, 2013**

**MOTION # 2**

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

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**APPROVED - RESOLUTION RECOGNIZING "NATIONAL DAY OF THE COWBOY"**

**JULY 22, 2013**

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

On this day, on motion of Commissioner Lewis, seconded by Commissioner Leon, it is the order of the Court to adopt a resolution recognizing Saturday, July 27th, 2013 as "National Day of the Cowboy".

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

NO – None

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## APPROVED - CONSENT AGENDA

**JULY 22, 2013**

**MOTION # 4**

On this day, on motion of Commissioner Leon, seconded by Commissioner Perez, it is the order of the Court to approve the following Consent Agenda items, including the deletion of Item # 16, and a correction to Item # 18.

6. Approve Minutes of the regular meeting of July 15, 2013.

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

7. 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 Auditor's Office, (915) 546-2040

8. Approve amendment No. 33 to the County of El Paso's 2012-2013 operating budget. This budgetary amendment will increase Grants by \$1,628,939.08, as noted on the attachment, thus increasing the overall operating budget of \$296,664,131.04 to \$298,293,070.12.

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

9. 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 June 2013. This report is located on the intranet at:[www.epcounty.com/auditor/publications/default.htm](http://www.epcounty.com/auditor/publications/default.htm)

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

10. Approve and authorize the County Judge to take appropriate action to host the 2013 County Employee Appreciation Picnic which will be held at Ascarate Park on September 21, 2013. Further, approve and authorize the acceptance of donations and sponsorships for said event.

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

11. Approve and authorize the renewal of the Order banning outdoor burning in the unincorporated areas of El Paso County for an additional ninety (90) days after the current ban's expiration on July 29, 2013 due to continued extreme wildfire threat, which was first issued by the Commissioners Court on April 18, 2011 and subsequently extended.

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

12. Approve and authorize the appointment of Cynthia Karam to the El Paso County Civil Service Commission to fill the unexpired term of the current member, Selena Solis; effective August 1, 2013.

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

13. Approve and authorize the appointment of Commissioner Sergio Lewis to the Tax Increment Reinvestment Zone (TIRZ) #5 Board, effective August 21, 2013.

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

15. Approve and authorize the County Judge to sign the Third Amendment to the University Medical Center (Employee Health Clinic) Interlocal Agreement which will allow COBRA participants to use the Employee Health Clinics.

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

17. Approve and authorize the Purchasing Agent to request bids for the Intensive In-Home Mental Health Counseling, Case Management and Psychiatric Services for post-adjudicated youths Project Hope (Special Needs Diversionary Program) on behalf of the El Paso County Juvenile Probation Department. This was approved by the PRP on 07/11/2013.

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

18. As corrected, approve and authorize the County Judge to sign the amended agreement between the Office of the Medical Examiner and Legacy Mortuary Services, L.L.C., for body transport services. Contract 2013-0338 for an estimated amount of \$80,000.00 to commence August 1, 2013.

Submitted by: Administrative Support Manager Irene Santiago, Office of the Medical Examiner

19. Approve and authorize the County Judge to sign the amended extension on original Contract No. 2010-0187 for body transport services between the Office of the Medical Examiner and Elite Medical Transport to enable payment and notice of termination to the contractor. Estimated impact of \$7,000.00.

Submitted by: Administrative Support Manager Irene Santiago, Office of the Medical Examiner

20. 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

21. Rescind Commissioner Court Order of June 17, 2013 due to change in the number of days allotted for achieving substantial completion from 240 days to 280 days, and approve and authorize the County Judge to sign the revised contract with Medlock Commercial Contractor, LLC for the construction of the Northwest Annex reflecting the change in dates. There is no change in the contract amount. Funds are available in CPNWANNEX12-9502.

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

24. Approve and authorize the transfer and removal of inventory of items from County Court at Law #3 and Sheriff Department. See attachment.

Submitted by: Purchasing Agent Kennie Downing, Purchasing, (915) 546-2048

25. Approve and authorize the transfer and removal of items from the Sheriff's Motor Pool to the Purchasing Department's Car Lot. These items will be sold at a future auction. See attachment.

Submitted by: Purchasing Agent Kennie Downing, Purchasing Department (915) 546-2048

26. Approve and authorize the transfer and removal of inventory items from the District Attorney's Office. See attachment

Submitted by: Purchasing Agent Kennie Downing, Purchasing Department (915) 546-2048

27. Approve and authorize the transfer and removal of inventory items from the 41st District Court to the Purchasing Department. See attachment.

Submitted by: Purchasing Agent Kennie Downing, Purchasing Department (915) 546-2048

28. Approve and authorize the release of \$50,000 certificate of deposit pledged as security for a bail bond company who is no longer in business. Direct the County Auditor's Office to transfer the collateral to the corporate surety underwriter.

Submitted by: Sheriff Richard Wiles, El Paso County Sheriff's Office (538-2234)

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

NO – None

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**APPROVED - RESOLUTION RECOGNIZING  
"THE LA FE SAN ELIZARIO COMMUNITY-HEALTH CENTER DAY"**

**JULY 22, 2013**

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

On this day, on motion of Commissioner Perez, seconded by County Judge Escobar, it is the order of the Court to adopt a resolution recognizing Wednesday, July 24, 2013 as "The La Fe San Elizario Community-Health Center Day" in El Paso County.

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

NO – None

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**PRESENTATION**

**JULY 22, 2013**

**MOTION # 6 (Item # 3)**

On this day, Commissioners Court received a presentation of the 2012 Distinguished Service Award to the El Paso County Historical Commission from the Texas Historical Commission.

**POSTPONED - PRESENTATION**

**JULY 22, 2013**

**MOTION # 7 (Item # 4)**

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 receive a presentation by Project Amistad regarding transportation services provided by the agency and changes in the way some of these transportation programs are funded.

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

NO – None

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**PUBLIC COMMENT**

**JULY 22, 2013**

**MOTION # 8 (Item # 5)**

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

Jorge Artalejo, concerned citizen, offered comment on the political system.

Salvador Gomez, concerned citizen, spoke regarding spending by the Sheriff's Office.

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**APPROVED - USE OF IN-KIND RESOURCES FOR MATCH REQUIREMENTS  
FOR DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT GRANTS  
FOR GENERAL ASSISTANCE PROGRAM**

**JULY 22, 2013**

**MOTION # 9 (Item # 14)**

On this day, on motion of Commissioner Leon, seconded by Commissioner Perez, it is the order of the Court to accept the agenda item to approve and authorize the General Assistance Program, a unit of the Department of Family and Community Services, to utilize in-kind resources supported by general revenue to meet its match requirement to the El Paso Coalition for the Homeless for federal funds from the Department of Housing and Urban Development (HUD) to support an array of homelessness services in El Paso County.

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

NO – None

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**APPROVED - FINDING THAT DELIBERATION IN OPEN MEETING WOULD HAVE DETRIMENTAL EFFECT ON NEGOTIATIONS REGARDING MOLD REMEDIATION CONTRACT WITH DYNAFOUR INC. DBA SERVPRO WEST EL PASO, AND ALL DELIBERATIONS SHALL TAKE PLACE IN CLOSED SESSION;  
APPROVED - COUNTY ATTORNEY'S OFFICE HAS ISSUED WRITTEN DETERMINATION THAT DELIBERATION IN OPEN MEETING WOULD HAVE DETRIMENTAL EFFECT ON NEGOTIATIONS REGARDING MOLD REMEDIATION CONTRACT WITH DYNAFOUR INC. DBA SERVPRO WEST EL PASO;  
APPROVED - COUNTY CLERK'S OFFICE TO TAPE RECORD ALL CLOSED SESSIONS CONCERNING NEGOTIATION OF MOLD REMEDIATION CONTRACT WITH DYNAFOUR INC. DBA SERVPRO WEST EL PASO**

**JULY 22, 2013**

**MOTION # 10 (Item # 22)**

On this day, on motion of Commissioner Leon, seconded by Commissioner Lewis, it is the order of the Court to approve and authorize the following finding:

1. Commissioners Court votes unanimously that deliberations in an open meeting would have a detrimental effect on the position of the Commissioners Court in negotiations regarding mold remediation contract with DynaFour Inc. dba ServPro West El Paso, and that all said deliberations take place in closed session.
2. The attorney advising the Commissioners Court has issued a written determination that deliberations in an open meeting would have a detrimental effect on the position of the Commissioners Court in negotiations regarding mold remediation contract with DynaFour Inc. dba ServPro West El Paso.
3. Commissioners Court directs the County Clerk's Office to ensure that all proceedings in closed session regarding business and financial issues relating to the negotiation of mold remediation contract with DynaFour Inc. dba ServPro West El Paso, be tape recorded.

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

NO – None

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**APPROVED - COMMITTEE APPOINTED TO NEGOTIATE CONTRACT  
WITH TYLER TECHNOLOGIES, INC. (MUNIS SOLUTION)  
FOR ENTERPRISE RESOURCE PLANNING SYSTEM**

**JULY 22, 2013**

**MOTION # 11 (Item # 23)**

On this day, on motion of Commissioner Lewis, seconded by Commissioner Leon, it is the order of the Court to approve the agenda item as follows: Approval of the selection of Tyler Technologies Inc., (representing the Munis Solution) to provide an Enterprise Resource Planning (ERP) System, RFP #12-066 for El Paso County contingent upon successful negotiations and contract execution. The necessary contract documents will be submitted to Commissioners Court at a later date for consideration and action upon successful negotiations. Further authorize the Purchasing Agent, County Auditor's office, Information Technology Department, and County Attorney's office as the designated negotiation committee. PRP approved on 7/2/2013 and 7/11/2013.

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

NO – None

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**APPROVED - NEWSPAPER TREE TO ACCESS STREAMING VIDEO  
OF PUBLIC MEETINGS (NON EXCLUSIVE RIGHTS)**

**JULY 22, 2013**

**MOTION # 12 (Item # 29)**

On this day, on motion of County Judge Escobar, seconded by Commissioner Lewis, it is the order of the Court to approve, with non exclusive rights to access the feed, the agenda item to discuss and take appropriate action on the request by Newspaper Tree, a 501(c)(3) nonprofit public interest media organization, to access the streaming video feed provided by the County of El Paso for Commissioners Court meetings and other related public meetings, and to broadcast that feed via [www.newspapertree.com](http://www.newspapertree.com).

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

NO – None

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**POSTPONED - AWARD TO MOTOROLA FOR IMPLEMENTATION  
OF P25 PROJECT FOR SHERIFF'S OFFICE**

**JULY 22, 2013**

**MOTION # 13 (Item # 30)**

On this day, on motion of Commissioner Lewis, seconded by Commissioner Perez, it is the order of the Court to postpone for two weeks the agenda item to approve and authorize the award to Motorola for P25 Implementation as per recommendation from the Procurement Review Panel subject to approval of inter-local agreement with City and approval of funding by Commissioners Court.

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

NO – None

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**MEETING RECESSED**

**JULY 22, 2013**

**MOTION # 14**

On this day, County Judge Escobar announced that Commissioners Court would recess for five minutes.

The Court recessed at 1:05 p.m.

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**MEETING RECONVENED**

**JULY 22, 2013**

**MOTION # 15**

On this day, Commissioners Court reconvened into special open session at 1:20 p.m.

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**APPROVED - MOVE DISCUSSION REGARDING AMENDMENT  
TO SUMMARY PLAN DESCRIPTION FOR HEALTH AND DENTAL PLAN  
TO EXECUTIVE SESSION**

**JULY 22, 2013**

**MOTION # 16 (Item # 34)**

On this day, on motion of Commissioner Perez, seconded by Commissioner Leon, it is the order of the Court to move to executive session, pursuant to Texas Government Code Section 551.071, the discussion of the agenda item to approve the Amendment to the Summary Plan Description for the County's Health and Dental Plan. The Amendment includes removal of the Domestic Partner language and the addition of Plus One Qualifying Adult language.

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

NO – None

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**EXECUTIVE SESSION**

**JULY 22, 2013**

**MOTION # 17 (Items # 22, 34, 36e)**

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.

22. As corrected, Award of Bid # 13-0031, Sheriff’s Mold Remediation, to DynaFour Inc. d/b/a ServPro of West El Paso for Mold Remediation at Downtown Facility; and authorize the County Judge to sign the contract with DynaFour Inc. dba ServPro West El Paso for Jail Mold Remediation with the County Attorney’s Office approval. Pursuant to Texas Government Code Section 551.0725.

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

34. Approve the Amendment to the Summary Plan Description for the County’s Health and Dental Plan. The Amendment includes removal of the Domestic Partner language and the addition of Plus One Qualifying Adult language. Pursuant to Texas Government Code Section 551.071.

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

36e) Pursuant to Texas Government Code, Section 551.074, discuss selection process and hiring of a candidate for the Chief Technology Officer position for the County of El Paso.

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

The Court recessed at 1:23 p.m.

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**MEETING RECONVENED**

**JULY 22, 2013**

**MOTION # 18**

On this day, Commissioners Court reconvened into regular open session following executive session at 2:15 p.m.

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**AS CORRECTED - BID AWARDED - SHERIFF'S OFFICE MOLD REMEDIATION  
TO DYNAFOUR INC. D/B/A SERVPRO OF WEST EL PASO  
FOR MOLD REMEDIATION AT DOWNTOWN FACILITY;  
APPROVED - COMMITTEE APPOINTED TO NEGOTIATE CONTRACT**

**JULY 22, 2013**

**MOTION # 19 (Item # 22)**

On this day, on motion of Commissioner Leon, seconded by Commissioner Perez, regarding the agenda item as follows: As corrected, Award of Bid # 13-0031, Sheriff's Mold Remediation, to DynaFour Inc. d/b/a ServPro of West El Paso for Mold Remediation at Downtown Facility; and authorize the County Judge to sign the contract with DynaFour Inc. dba ServPro West El Paso for Jail Mold Remediation with the County Attorney's Office approval; it is the order of the Court to award Bid # 13-0031 to DynaFour Inc. d/b/a ServPro of West El Paso for Mold Remediation at Downtown Facility, and to authorize a team of representatives from the Purchasing Department, Facilities Management, and the County Attorney's Office to negotiate a contract.

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

NO – None

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**PUBLIC HEARING**

**JULY 22, 2013**

**MOTION # 20 (Item # 33)**

On this day, on motion of Commissioner Lewis, seconded by Commissioner Perez, it is the order of the Court, pursuant to Chapter 157, Subchapter F of the Texas Local Government Code, to hold a public hearing to receive comments on the Amendment to the Summary Plan Description (SPD) for the County's Health and Dental Plan. The Amendment includes removal of the Domestic Partner language and the addition of Plus One Qualifying Adult language.

The following offered public comment.  
Sam Trujillo, Risk Manager, Human Resources Department  
Robert Strong, concerned citizen  
Salvador Gomez, concerned citizen  
Jorge Artalejo, concerned citizen

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

NO – None

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**PUBLIC HEARING CLOSED**

**JULY 22, 2013**

**MOTION # 21 (Item # 33)**

On this day, on motion of Commissioner Leon, seconded by Commissioner Perez, it is the order of the Court to close the public hearing.

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

NO – None

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**APPROVED - AMENDMENT TO SUMMARY PLAN DESCRIPTION  
FOR HEALTH AND DENTAL PLAN**

**JULY 22, 2013**

**MOTION # 22 (Item # 34)**

On this day, on motion of County Judge Escobar, seconded by Commissioner Perez, regarding the agenda item to approve the Amendment to the Summary Plan Description for the County's Health and Dental Plan. The Amendment includes removal of the Domestic Partner language and the addition of Plus One Qualifying Adult language; it is the order of the Court to approve the Amendment effective January 1, 2014.

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

NO – None

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**APPROVED - OFFER OF CHIEF TECHNOLOGY POSITION  
TO CHRISTOPHER STATHIS**

**JULY 22, 2013**

**MOTION # 23 (Item # 41)**

On this day, on motion of County Judge Escobar, seconded by Commissioner Leon, regarding the agenda item to discuss and take action regarding the selection process and hiring of a candidate for the Chief Technology position for the County of El Paso, it is the order of the Court to make an offer of the Chief Technology Officer position to Christopher Stathis at Grade E-36, Step 5.

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

NO – None

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**COUNTY JUDGE ESCOBAR WAS ABSENT FROM THIS POINT  
THROUGH THE REMAINDER OF THE MEETING**

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**APPROVED - COUNTY HAS A POPULATION OF 400,000 OR MORE;  
APPROVED - FINDING THAT DELIBERATION IN OPEN MEETING WOULD HAVE  
DETRIMENTAL EFFECT ON NEGOTIATIONS WITH CITY OF EL PASO, AND ALL  
DELIBERATIONS SHALL TAKE PLACE IN CLOSED SESSION;  
APPROVED - COUNTY ATTORNEY'S OFFICE HAS ISSUED WRITTEN  
DETERMINATION THAT DELIBERATION IN OPEN MEETING WOULD HAVE  
DETRIMENTAL EFFECT ON NEGOTIATIONS WITH CITY OF EL PASO;  
APPROVED - COUNTY CLERK'S OFFICE TO TAPE RECORD ALL CLOSED  
SESSIONS CONCERNING BUSINESS AND FINANCIAL ISSUES RELATING  
TO TRANSFER OF EQUIPMENT AND LICENSES AND PROVISION OF  
INFORMATION TECHNOLOGY RESOURCES RELATED TO MAINTAINING  
MUNI-COURT COMPUTER SYSTEM OPERATIONAL AFTER COUNTY CONVERTS  
TO NEW JAIL AND COURT COMPUTER SYSTEM**

**JULY 22, 2013**

**MOTION # 24 (Item # 31)**

On this day, on motion of Commissioner Perez, seconded by Commissioner Leon, it is the order of the Court to approve and authorize the following finding:

1. The County has a population of 400,000 or more:
2. Commissioners Court votes unanimously that deliberations in an open meeting would have a detrimental effect on the position of the Commissioners Court in negotiations with the City of El Paso, and that all said deliberations take place in closed session.
3. The attorney advising the Commissioners Court has issued a written determination that deliberations in an open meeting would have a detrimental effect on the position of the Commissioners Court in negotiations with the City of El Paso.
4. Commissioners Court directs the County Clerk's Office to ensure that all proceedings in closed session in negotiations with the City of El Paso concerning business and financial issues relating to transfer of equipment and licenses and provision of Information Technology resources related to maintaining Muni-court computer system operational after county converts to new jail and court computer system be tape recorded.

VOTE: YES – Leon, Lewis, Perez

NO – None

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**APPROVED - INTERLOCAL AGREEMENT WITH CITY OF SOCORRO  
FOR OPERATION STONEGARDEN FOR SHERIFF'S OFFICE**

**JULY 22, 2013**

**MOTION # 25 (Item # 32)**

On this day, on motion of Commissioner Lewis, seconded by Commissioner Perez, it is the order of the Court to approve the agenda item to approve and authorize the County Judge to sign the amended Interlocal Agreement for the City of Socorro Police Department for the 2012 Operation Stonegarden in the amount of \$122,000.00 (2013-0323).

VOTE: YES – Leon, Lewis, Perez

NO – None

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**SUBDIVISION APPROVAL - HORIZON POINT**

**JULY 22, 2013**

**MOTION # 26 (Item # 35a)**

On this day, on motion of Commissioner Perez, seconded by Commissioner Leon, it is the order of the Court to approve HORIZON POINT - Being all of Lots 20 and 21, Block 8 Horizon Hills, El Paso County, Texas, containing 9.414 acres.

VOTE: YES – Leon, Lewis, Perez

NO – None

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**EXECUTIVE SESSION**

**JULY 22, 2013**

**MOTION # 27 (Items # 31, 36)**

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.

36a) Discuss pending claim and potential litigation regarding Asphalt Paver, Inc.; County Attorney's case number: PC-13-014, pursuant to Texas Government Code Section 551.071.

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

36b) Discuss matter regarding Westway Road, County Attorney's file number AA-13-012, pursuant to Texas Government Code Section 551.071.

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

36c) Discuss Civil Service matter regarding Myra Ponce Casas, County Attorney's file number GR-13-006, pursuant to Texas Government Code Section 551.074.

Submitted by: Assistant County Attorney Kathleen C. Anderson, County Attorney's Office (915) 546-2050

36d) Discuss the pending litigation regarding Silvia Calderon v. The County of El Paso, Texas and Leticia Leyva, cause number 2012-DCV-05006, County Attorney number LD-12-050, pursuant to Texas Government Code Section 551.071.  
Submitted by: Assistant County Attorney Ruben Duarte, County Attorney's Office (915) 546-2050

The Court recessed at 2:40 p.m.

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**MEETING RECONVENED**

**JULY 22, 2013**

**MOTION # 28**

On this day, Commissioners Court reconvened into regular open session following executive session at 3:52 p.m.

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**NO ACTION - NEGOTIATION OF CONTRACTS  
FOR TRANSFER OF SOFTWARE LICENSES AND HARDWARE  
AND CANCELLATION OF SOFTWARE LICENSES  
AND MAINTENANCE CONTRACTS  
DUE TO REPLACEMENT OF JIMS COUNTY COURT AND JAIL SYSTEM  
WITH ODYSSEY COURT AND JAIL SOFTWARE**

**JULY 22, 2013**

**MOTION # 29 (Item # 31)**

On this day, Commissioners Court took no formal action on the agenda item to discuss and take appropriate action regarding the negotiation of contract(s) for the transfer of software licenses and hardware, and the cancellation of County software licenses and maintenance contracts, no longer required due to the replacement of the County's JIMS County Court and Jail System with Odyssey Court and Jail Software. No funding is required.

**NO ACTION**

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**APPROVED - PUBLIC WORKS DEPARTMENT AND PURCHASING DEPARTMENT  
TO REPAIR ROAD DUE TO EXISTANCE OF PUBLIC SAFETY DANGER;  
APPROVED - WAIVER OF COMPETITIVE BIDDING REQUIREMENTS  
CONCERNING CLAIM AND POTENTIAL LITIGATION  
REGARDING ASPHALT PAVERS, INC.  
COUNTY ATTORNEY'S CASE NUMBER PC-13-014**

**JULY 22, 2013**

**MOTION # 30 (Item # 37)**

On this day, on motion of Commissioner Perez, seconded by Commissioner Leon, regarding the agenda item to discuss and take appropriate action regarding pending claim and potential litigation regarding Asphalt Pavers, Inc.; County Attorney's case number PC-13-014, it is the order of the Court to approve and authorize Public Works and the Purchasing Department to take the steps necessary to repair Ascension Road because a public safety danger exists with the current state of the road. Further, that the competitive bidding requirements found in the Local Government Code, Chapter 252, be waived.

VOTE: YES – Leon, Lewis, Perez

NO – None

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**POSTPONED - EXECUTIVE SESSION AND REGULAR SESSION AGENDA ITEMS**

**JULY 22, 2013**

**MOTION # 31 (Items # 36b, 38)**

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 following executive session and related regular session agenda items.

36b) Discuss matter regarding Westway Road, County Attorney's file number AA-13-012, pursuant to Texas Government Code Section 551.071.

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

38. Discuss and take appropriate action on matter regarding Westway Road, County Attorney's file number, AA-13-012.

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

VOTE: YES – Leon, Lewis, Perez

NO – None

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**POSTPONED - EXECUTIVE SESSION AND REGULAR SESSION AGENDA ITEMS**

**JULY 22, 2013**

**MOTION # 32 (Items # 36c, 39)**

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 following executive session and related regular session agenda items.

36c) Discuss Civil Service matter regarding Myra Ponce Casas, County Attorney's file number GR-13-006, pursuant to Texas Government Code Section 551.074.  
Submitted by: Assistant County Attorney Kathleen C. Anderson, County Attorney's Office (915) 546-2050

39. Discuss and take appropriate action regarding Myra Ponce Casas, County Attorney's file number GR-13-006.  
Submitted by: Assistant County Attorney Kathleen C. Anderson, County Attorney's Office (915) 546-2050

VOTE: YES – Leon, Lewis, Perez

NO – None

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**POSTPONED - EXECUTIVE SESSION AND REGULAR SESSION AGENDA ITEMS**

**JULY 22, 2013**

**MOTION # 33 (Items # 36d, 40)**

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 following executive session and related regular session agenda items.

36d) Discuss the pending litigation regarding Silvia Calderon v. The County of El Paso, Texas and Leticia Leyva, cause number 2012-DCV-05006, County Attorney number LD-12-050, pursuant to Texas Government Code Section 551.071.  
Submitted by: Assistant County Attorney Ruben Duarte, County Attorney's Office (915) 546-2050

40. Discuss and take appropriate action on the pending litigation of Silvia Calderon v. The County of El Paso, Texas and Leticia Leyva, cause number 2012-DCV-05006, County Attorney file number LD-12-050.  
Submitted by: Assistant County Attorney Ruben Duarte, County Attorney's Office (915) 546-2050

VOTE: YES – Leon, Lewis, Perez

NO – None

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**MEETING ADJOURNED**

**JULY 22, 2013**

**MOTION # 34**

On this day, there being no further business to discuss, the meeting was adjourned at 3:59 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  
(Based upon Ellen A. Smyth's notes)

EXAMINED AND APPROVED BY ME THIS:

\_\_\_\_\_ DAY OF \_\_\_\_\_, 2013.

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COUNTY JUDGE VERONICA ESCOBAR, PRESIDING