

On this the 9th day of February, 2021, at 10:00 A.M. came on to be held a REGULAR meeting of the Ector County Commissioners' Court in the Commissioners' Courtroom, Ector County Administration Building Annex, 1010 E. 8th St., Odessa, Texas with the following members present:

Debi Hays, County Judge
Mike Gardner, Commissioner Precinct #1
Greg Simmons, Commissioner Precinct #2
Don Stringer, Commissioner Precinct #3
Armando Rodriguez, Commissioner Precinct #4
Minutes taken by Jennifer Martin, County Clerk

when the following proceedings were had to-wit:

County Judge Debi Hays called the meeting to order at 10:03 A. M. with a quorum of the court present. The invocation was led by Commissioner Gardner. Commissioner Simmons led the pledge of allegiance to the United States flag and the pledge of allegiance to the Texas flag.

SPECIAL PRESENTATIONS/REQUESTS/RESOLUTIONS

1. To consider, discuss, and take any necessary action to approve the purchase of office equipment for newly elected District Judge in the 161st District Court, and to approve a budget amendment to General Fund, 161st District Court, Departmental Furniture & Equipment, 001-070-5199 for \$4,090 from Unreserved Fund Balance, 001-3310.
Justin Low – 161st District Judge

Commissioner Simmons made a motion to approve the purchase of office equipment for newly elected District Judge in the 161st District Court, and to approve a budget amendment to General Fund, 161st District Court, Departmental Furniture & Equipment, 001-070-5199 for \$4,090 from Unreserved Fund Balance, 001-3310; a second was made by Commissioner Gardner. **MOTION PASSED. 5-0**

Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Gardner	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

2. To consider, discuss, and take any necessary action to approve purchasing five roll off dumpsters using the proceeds from the Environmental Enforcement Settlements and authorize the County Judge to sign.
Mike Gardner – Commissioner Pct. 1

A motion was made by Commissioner Gardner to approve purchasing roll off dumpsters with a spending cap of \$30,000.00 using the proceeds from the Environmental Enforcement Settlements and authorize the County Judge to sign; Judge Hays seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Gardner	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

AWARD OF BIDS/PROPOSALS

3. To consider, discuss, and take any necessary action for the proposal specifications on Mobile Imaging Services and authorize the County Judge to sign.
Lucy Soto – Purchasing

Commissioner Simmons made a motion to approve the proposed specifications on Mobile Imaging Services and authorize the County Judge to sign; a second was made by Commissioner Rodriguez.

MOTION PASSED. 5-0

Voting for Motion:

✓ Judge Hays
✓ Commissioner Gardner ✓ Commissioner Stringer
✓ Commissioner Simmons ✓ Commissioner Rodriguez

4. To consider, discuss, and take any necessary action on bid specifications for the following: a.) Seal Coat aggregate; b.) Graded Base Material; c.) Water; d.) Asphalt Patching Material; and e.) Liquid Asphalt Emulsion and authorize the County Judge to sign.
Lucy Soto – Purchasing
Evans Kessey – Public Works

A motion was made by Commissioner Simmons to approve bid specifications for the following: a.) Seal Coat aggregate; b.) Graded Base Material; c.) Water; d.) Asphalt Patching Material; and e.) Liquid Asphalt Emulsion and authorize the County Judge to sign; Commissioner Gardner seconded the motion.

MOTION PASSED. 5-0

Voting for Motion:

✓ Judge Hays
✓ Commissioner Gardner ✓ Commissioner Stringer
✓ Commissioner Simmons ✓ Commissioner Rodriguez

CONTRACTS/AGREEMENTS/GRANTS

5. To consider, discuss, and take any necessary action to approve the required documentation of Eminent Domain Authority in Texas, authorize the County Judge to sign and authorize the submission of the Form to the Texas Comptroller’s Office.
Debi Hays – County Judge

Commissioner Simmons made a motion to approve the required documentation of Eminent Domain Authority in Texas, authorize the County Judge to sign and authorize the submission of the Form to the Texas Comptroller’s Office; a second was made by Commissioner Rodriguez. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays
✓ Commissioner Gardner ✓ Commissioner Stringer
✓ Commissioner Simmons ✓ Commissioner Rodriguez

6. To approve, reject, discuss, and take any other action regarding the proposal from Kofile Technologies, Inc., for the 2021 Project for the Archival Digitization of District Clerk Records, with Kofile’s TXMAS Contract No. TXMAS-18-3602, and authorize the County Judge to sign.
Clarissa Webster – District Clerk

A motion was made by Commissioner Simmons to approve the proposal from Kofile Technologies, Inc., for the 2021 Project for the Archival Digitization of District Clerk Records, with Kofile’s TXMAS Contract No. TXMAS-18-3602, and authorize the County Judge to sign; Commissioner Rodriguez seconded the motion.

MOTION PASSED. 5-0

Voting for Motion:

✓ Judge Hays
✓ Commissioner Gardner ✓ Commissioner Stringer
✓ Commissioner Simmons ✓ Commissioner Rodriguez

7. To consider, discuss, and take any other necessary action regarding the AIA Change Order #1 and Certificate of Substantial Completion for the LEC Booking and Intake Renovations Phase 1 and authorize the County Judge to sign.
Lucy Soto – Purchasing
Charlies Pierce – Building Maintenance

Commissioner Simmons made a motion to approve the AIA Change Order #1 and Certificate of Substantial Completion for the LEC Booking and Intake Renovations Phase 1 and authorize the County Judge to sign; a second was made by Commissioner Gardner. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays
✓ Commissioner Gardner ✓ Commissioner Stringer
✓ Commissioner Simmons ✓ Commissioner Rodriguez

8. To consider, discuss, and take any necessary action regarding an agreement between Ector County and Synrgo, Inc. and authorize the County Judge to sign.
Jennifer Martin – County Clerk

A motion was made by Commissioner Gardner to approve an agreement between Ector County and Synrgo, Inc. and authorize the County Judge to sign; Commissioner Rodriguez seconded the motion.

MOTION PASSED. 5-0

Voting for Motion:

✓ Judge Hays
✓ Commissioner Gardner ✓ Commissioner Stringer
✓ Commissioner Simmons ✓ Commissioner Rodriguez

9. To consider, discuss, and take any necessary action to approve an application and resolution for the VCLG grant #3288404 with the Office of the Governor for the Ector County Attorney's Office.
Greg Barber – County Attorney

Commissioner Simmons made a motion to approve an application and resolution for the VCLG grant #3288404 with the Office of the Governor for the Ector County Attorney's Office; a second was made by Commissioner Gardner. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays
✓ Commissioner Gardner ✓ Commissioner Stringer
✓ Commissioner Simmons ✓ Commissioner Rodriguez

10. To consider, discuss, and take any necessary action to approve an application and resolution for the VCLG grant #3978902 with the Office of the Governor for the Ector County District Attorney's Office.
Dusty Gallivan – District Attorney

A motion was made by Commissioner Gardner to approve an application and resolution for the VCLG grant #3978902 with the Office of the Governor for the Ector County District Attorney's Office; Commissioner Rodriguez seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays
✓ Commissioner Gardner ✓ Commissioner Stringer
✓ Commissioner Simmons ✓ Commissioner Rodriguez

11. To consider, discuss, approve and take any necessary action regarding an engagement letter with Gabriel Roeder Smith & Company for the OPEB valuation and GASB 75 valuation reports for fiscal years ending 2021 and 2022 and authorize the County Judge to sign the engagement letter.
Randy Donner – County Auditor

Judge Hays made a motion to table Item #11; a second was made by Commissioner Stringer.

MOTION PASSED. 5-0

Voting for Motion:

✓ Judge Hays
✓ Commissioner Gardner ✓ Commissioner Stringer
✓ Commissioner Simmons ✓ Commissioner Rodriguez

12. To consider, discuss, and take any necessary action regarding a proposed amendment to the End User License Agreement and Professional Services Agreement between Ector County and Tyler Technologies, Inc to add 11 users for Odyssey Online – Licensed Software to be used by the Odessa Fire Marshals Division and authorizing the County Judge to sign.
Stephen White – Sheriff's Office

A motion was made by Commissioner Simmons to approve a proposed amendment to the End User License Agreement and Professional Services Agreement between Ector County and Tyler Technologies, Inc to add 11 users for Odyssey Online – Licensed Software to be used by the Odessa Fire Marshals Division and authorizing the County Judge to sign; Commissioner Gardner seconded the motion.

MOTION PASSED. 5-0

Voting for Motion:

✓ Judge Hays
✓ Commissioner Gardner ✓ Commissioner Stringer
✓ Commissioner Simmons ✓ Commissioner Rodriguez

PERSONNEL REQUESTS

13. To consider, discuss, and take any necessary action to request approval of a step increase from Step 1 to a Step 4 for Court Administrator due to experience.
Justin Low – 161st District Judge

Commissioner Simmons made a motion to deny a step increase from Step 1 to a Step 4 for Court Administrator due to experience; a second was made by Commissioner Stringer. **MOTION PASSED. 4-1**

Voting for Motion:

✓ Judge Hays ✓ Commissioner Simmons
✓ Commissioner Stringer ✓ Commissioner Rodriguez

Voting Against Motion:

✓ Commissioner Gardner

14. To consider, discuss, and take any necessary action to request approval of a step increase from Step 1 to a Step 4 for Bailiff due to experience.
Justin Low – 161st District Judge

A motion was made by Commissioner Simmons to deny a step increase from Step 1 to a Step 4 for Bailiff due to experience; Commissioner Stringer seconded the motion. **MOTION PASSED. 4-1**

Voting for Motion:

✓ Judge Hays ✓ Commissioner Simmons
✓ Commissioner Stringer ✓ Commissioner Rodriguez

Voting Against Motion:

✓ Commissioner Gardner

15. To consider, discuss, and take any necessary action to request approval of a step increase from Step 1 to a Step 4 for Court Administrator due to experience.

John Shrode – 358th District Judge

Commissioner Simmons made a motion to deny a step increase from Step 1 to a Step 4 for Court Administrator due to experience; a second was made by Commissioner Stringer. **MOTION PASSED. 3-2**

Voting for Motion:

✓ Judge Hays ✓ Commissioner Simmons

✓ Commissioner Stringer

Voting Against Motion:

✓ Commissioner Gardner ✓ Commissioner Rodriguez

16. To consider, discuss, and take any necessary action to request approval of a step increase from Step 1 to a Step 4 for an Investigator in the County Attorney’s Office due to experience.

Greg Barber – County Attorney

A motion was made by Commissioner Simmons to deny a step increase from Step 1 to a Step 4 for an Investigator in the County Attorney’s Office due to experience; Commissioner Stringer seconded the motion.

MOTION PASSED. 3-2

Voting for Motion:

✓ Judge Hays ✓ Commissioner Simmons

✓ Commissioner Stringer

Voting Against Motion:

✓ Commissioner Gardner ✓ Commissioner Rodriguez

17. To consider, discuss, and take any necessary action to transfer two Full-time employees from Road & Bridge to Environmental Enforcement as discussed in the 2020 Budget Hearing.

Mike Gardner – Commissioner Pct. 1

Commissioner Gardner made a motion to approve the transfer of two Full-time employees from Road & Bridge to Environmental Enforcement as discussed in the 2020 Budget Hearing; a second was made by Judge Hays. **MOTION PASSED. 3-2**

Voting for Motion:

✓ Judge Hays ✓ Commissioner Gardner

✓ Commissioner Simmons

Voting Against Motion:

✓ Commissioner Stringer ✓ Commissioner Rodriguez

PUBLIC WORKS

18. To consider, discuss, and take any other necessary action on a Valdez Re-plat of 27.0 Acres in Blocks 1 and 2, TIF Ranch Estates Section 26, Block 44, T-2-S, T&P RY Co. Survey, Ector County, Texas and authorize the County Judge to sign.

Evans Kessey – Public Works

A motion was made by Commissioner Simmons to approve a Valdez Re-plat of 27.0 Acres in Blocks 1 and 2, TIF Ranch Estates Section 26, Block 44, T-2-S, T&P RY Co. Survey, Ector County, Texas and authorize the County Judge to sign; Commissioner Gardner seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays ✓ Commissioner Stringer

✓ Commissioner Gardner ✓ Commissioner Rodriguez

✓ Commissioner Simmons

19. To consider, discuss, and take any necessary action on a Longoria Re-plat of 10.35 Acres in Blocks 3 and 4, TIF Ranch Estates Section 26, Block 44, T-2-S, T&P RY Co. Survey, Ector County, Texas and authorize the County Judge to sign.
Evans Kessey – Public Works

Commissioner Simmons made a motion to approve a Longoria Re-plat of 10.35 Acres in Blocks 3 and 4, TIF Ranch Estates Section 26, Block 44, T-2-S, T&P RY Co. Survey, Ector County, Texas and authorize the County Judge to sign; a second was made by Commissioner Gardner. **MOTION PASSED. 5-0**

Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Gardner	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

20. To consider, discuss, and take any necessary action on a Proposed MHRC Application on 1.0 Acre at 4861 W 39th Street, Ector County, Texas and authorize the County Judge to sign.
Evans Kessey – Public Works

A motion was made by Commissioner Simmons to approve a Proposed MHRC Application on 1.0 Acre at 4861 W 39th Street, Ector County, Texas and authorize the County Judge to sign; Commissioner Gardner seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Gardner	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

21. To consider, discuss, and take any necessary action on a Re-plat of Lot 24, Block 2 out of Re-plat of Lots 12 and 13 Gage Acres Section 5 as described in Cabinet C, Page 550 Ector County Plat Records and authorize the County Judge to sign.
Evans Kessey – Public Works

Commissioner Rodriguez made a motion to approve a Re-plat of Lot 24, Block 2 out of Re-plat of Lots 12 and 13 Gage Acres Section 5 as described in Cabinet C, Page 550 Ector County Plat Records and authorize the County Judge to sign; a second was made by Commissioner Simmons. **MOTION PASSED. 5-0**

Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Gardner	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

22. To consider, discuss, and take any necessary action on a Re-plat of Lots 6 & 7, Block 5, Knox Village Ranchettes, Phase II Section 31, Block 43, T-2-S, T&P RY. Co. Survey, Ector County, Texas and authorize the County Judge to sign.
Evans Kessey – Public Works

ITEM WITHDRAWN AT OWNER'S REQUEST

23. To consider, discuss, and take any necessary action on West Coast Subdivision being a Re-plat of Lot 14, Block 29, Pleasant Farms Subdivision, 3rd Filing, Ector County, Texas and authorize the County Judge to sign.
Evans Kessey – Public Works

Commissioner Rodriguez made a motion to approve West Coast Subdivision being a Re-plat of Lot 14, Block 29, Pleasant Farms Subdivision, 3rd Filing, Ector County, Texas and authorize the County Judge to sign; a second was made by Commissioner Simmons. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays
✓ Commissioner Gardner
✓ Commissioner Simmons

✓ Commissioner Stringer
✓ Commissioner Rodriguez

CONSENT AGENDA

24. To review, consider, discuss, approve, and take any necessary action regarding the following proposed Consent Agenda:

24a. To consider, discuss, and approve a line item transfer to JP Technology Fund, Departmental Furniture/Equipment, 018-200-5199 for \$584 and to Office Supplies, 018-200-5171 for \$870 from Part-Time Salaries, 018-200-5104 for \$1,454.
Randy Donner – County Auditor

A motion was made by Commissioner Simmons to approve approve a line item transfer to JP Technology Fund, Departmental Furniture/Equipment, 018-200-5199 for \$584 and to Office Supplies, 018-200-5171 for \$870 from Part-Time Salaries, 018-200-5104 for \$1,454; Commissioner Gardner seconded the motion.

MOTION PASSED. 5-0

Voting for Motion:

✓ Judge Hays
✓ Commissioner Gardner
✓ Commissioner Simmons

✓ Commissioner Stringer
✓ Commissioner Rodriguez

BUDGET/FINANCIAL

25. To consider, discuss, and approve the attached budget amendment for the Elections Department in regards to left over HAVA-Cares funding from fiscal year 2020.
Randy Donner – County Auditor

Commissioner Simmons made a motion to approve the attached budget amendment for the Elections Department in regards to left over HAVA-Cares funding from fiscal year 2020; a second was made by Commissioner Gardner. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays
✓ Commissioner Gardner
✓ Commissioner Simmons

✓ Commissioner Stringer
✓ Commissioner Rodriguez

26. Receive the fiscal year 2020 annual audit report of the Ector County Jail Commissary Account in accordance with Local Government Code Section 351.0415(d).
Randy Donner – County Auditor

A motion was made by Commissioner Simmons to approve the fiscal year 2020 annual audit report of the Ector County Jail Commissary Account in accordance with Local Government Code Section 351.0415(d); Commissioner Gardner seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays
✓ Commissioner Gardner
✓ Commissioner Simmons

✓ Commissioner Stringer
✓ Commissioner Rodriguez

27. To consider and approve the Accounts Payable Fund Requirements Report for February 9, 2021 to review County financial statements and reports.
Randy Donner – County Auditor

Commissioner Simmons made a motion to approve the Accounts Payable Fund Requirements Report for February 9, 2021 to review County financial statements and reports; a second was made by Commissioner Gardner. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays

✓ Commissioner Gardner

✓ Commissioner Simmons

✓ Commissioner Stringer

✓ Commissioner Rodriguez

28. To consider, discuss, and take any necessary action to discuss any and all issues related to COVID-19.
Debi Hays – County Judge

NO ACTION TAKEN ON THIS ITEM

EXECUTIVE SESSION

29. To consider and discuss legal matters pursuant to Title 5, Chapter 551, Section 551.071, Texas Government Code.
Debi Hays – County Judge

NO ACTION WAS TAKEN ON THIS ITEM

30. To consider and discuss real estate issues/transactions pursuant to Title 5, Chapter 551, Section 551.072, Texas Government Code.
Debi Hays – County Judge

NO ACTION WAS TAKEN ON THIS ITEM

31. To consider and discuss personnel matters pursuant to Title 5, Chapter 551, Section 551.074, Texas Government Code.
Debi Hays – County Judge

Judge Lange addressed the court pointing out that not all office use Time Clock Plus. He also pointed out that the Constables are paid but never perform any official duties. Commissioner Simmons told the Justices of the Peace who were present that he would go over the results of the reports obtained from the Human Resources Office with them after court was adjourned. Judge Lange stated that he would like the results to be on the record.

NO ACTION WAS TAKEN ON THIS ITEM

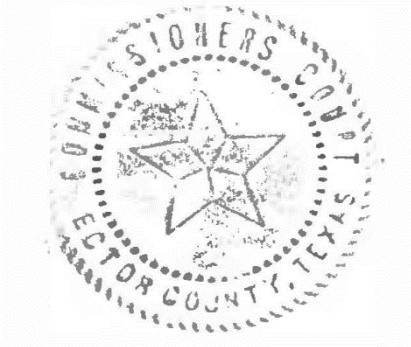
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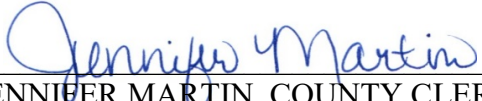
With no further business to discuss, Commissioner Simmons made a motion with a second by Commissioner Rodriguez to adjourn to the call of the chair. **MOTION PASSED. 5-0**

THE STATE OF TEXAS

COUNTY OF ECTOR

I, Jennifer Martin, County Clerk, do hereby attest to the accuracy of the Commissioners Court Proceedings for the Regular Commissioners' Court meeting of February 9, 2021.




JENNIFER MARTIN, COUNTY CLERK
ECTOR COUNTY, TEXAS