

On this the 26<sup>th</sup> day of July, 2022, 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 10:01 A. M. with a quorum of the court present. The invocation was led by Jim Wise. Commissioner Rodriguez 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 re-appoint Commissioner Mike Gardner to the 911 Emergency Communication District of Ector County to be effective from October 1, 2022 to September 30, 2024 and authorize the County Judge to sign.  
Commissioners Court

Commissioner Stringer made a motion to re-appoint Commissioner Mike Gardner to the 911 Emergency Communication District of Ector County to be effective from October 1, 2022 to September 30, 2024 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

2. To consider, discuss, and take any necessary action on a presentation by Betenbough Homes regarding a subdivision that they are considering building. (Precinct 1)  
Commissioners Court

A motion was made by Commissioner Simmons to de-annex residential homes only from the Sales Tax District; Judge Hays seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

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

3. To declare surplus and approve the sale by auction of assets and other items on the attached lists and take any further discussion or action deemed necessary.  
Lucy Soto – Purchasing

Commissioner Simmons made a motion to approve the sale by auction of assets and other items on the attached lists and take any further discussion or action deemed necessary; a second was made by Commissioner Stringer. **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

4. To consider, discuss, and take any necessary action to update SOV (Statement of Values) for submission to Travelers Insurance Group in partnership with USI Insurance Services and authorize the County Judge to sign.  
Sam Brijalba – Human Resources

A motion was made by Commissioner Simmons to to update SOV (Statement of Values) for submission to Travelers Insurance Group in partnership with USI Insurance Services and authorize the County Judge to sign; Commissioner Rodriguez 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

5. To consider, discuss, and take any necessary action for the appointment of Judges and Co-Judges for 2021 – 2023 and the appointment of Early Voting Clerks and Ballot Board for 2022 – 2023.  
Lisa Sertuche – Elections

Commissioner Gardner made a motion to approve the appointment of Judges and Co-Judges for 2021 – 2023 and the appointment of Early Voting Clerks and Ballot Board for 2022 – 2023; 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

6. To consider, discuss, approve, and take any necessary action regarding modified library hours; new strategic plan (mission, vision and strategic areas of focus); the implementation of TikTok for library social media and authorize the County Judge to sign any and all documents associated with this agenda item.  
Howard C. Marks – Library

A motion was made by Commissioner Simmons to approve the modified library hours; new strategic plan (mission, vision and strategic areas of focus); the implementation of TikTok for library social media and authorize the County Judge to sign any and all documents associated with this agenda item; Commissioner Stringer 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

## CONTRACTS/AGREEMENTS/GRANTS

7. To consider, discuss, approve, and take any necessary action regarding a new, enhanced multi-year software subscription purchase agreement for SirsiDynix, and authorize the County Judge to sign.  
Howard C. Marks – Library

Commissioner Gardner made a motion to approve a new, enhanced multi-year software subscription purchase agreement for SirsiDynix, and authorize the County Judge to sign; a second was made by Commissioner Rodriguez. **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

8. To approve, reject, discuss, or take any necessary action regarding Amendment #8 to the Contract with Vector Fleet Management and to renew the contract for the Fiscal Year 2022 – 2023, and authorize the County Judge to sign.  
Lucy Soto – Purchasing  
Steven Davis – Public Works

A motion was made by Commissioner Simmons to approve Amendment #8 to the Contract with Vector Fleet Management and to renew the contract for the Fiscal Year 2022 – 2023, and authorize the County Judge to sign; Commissioner Stringer 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

9. To award, reject, discuss, or take any necessary action regarding the Amendment to Food Service for the Adult and Juvenile Detention Centers, and authorize the County Judge and other County Officials and employees to sign all documents associated with this agenda item.  
Lucy Soto – Purchasing

Commissioner Stringer made a motion to approve the Amendment to Food Service for the Adult and Juvenile Detention Centers, and authorize the County Judge and other County Officials and employees to sign all documents associated with this agenda item; 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

10. To consider, discuss, approve and take any necessary action regarding a Proposed Real Estate Broker contract between Ector County and J L Herriage d/b/a Copper Key Realty for the potential sale of the Ector County Coliseum located at 4201 Andrews Hwy., Odessa, Texas 79762, in accordance with Section 263.008 and all other applicable provisions of Title 8 of the Texas Local Government Code and authorize the County Judge to sign.  
Lee McClendon – County Attorney

Matt Wood, 3601 E. 30<sup>th</sup> St. Odessa, TX – addressed the court stating that it was business appropriate for the Court to consider the office. Mr. Wood also stated that he hoped members of the court would set aside personal opinions and make the right decision.

Steve Hurt, 2434 E. 17<sup>th</sup> St. Odessa, TX – addressed the court on behalf of the Odessa Chuck Wagon Gang. Mr. Hurt stated he was not in favor of selling the coliseum. He said that the coliseum benefits many other organizations and sometimes a business decision is not best for the community. Mr. Hurt stated that in their opinion, it is not about making money but about the needs and wants of the community.

Richard Cooper, PO Box 15088 Odessa, TX – Mr. Cooper is the 2022 Gang Boss for the Chuck Wagon Gang. He stated there was only one word to describe the value of the coliseum and that word is “priceless”. He stated that there are many charitable events in Building A. Mr. Cooper state that the Chuck Wagon Gang is wholly opposed to the sale of the coliseum.

Michael Currin, 1202 Smith St. Odessa, TX – state he is completely opposed to the sale no matter the amount of money offered. He stated that it is a public service, government is a public service and that they shouldn’t be interested in making a profit.

Joe Allbright, Odessa, TX – stated you cannot put a price on the coliseum and that once the genie is out of the bottle you can’t put it back in.

Clayton Smith, 3616 Springer Odessa TX – state that he had many sentimental memories at the coliseum and was indifferent about the sale. He state that a committee should be put together to evaluate the under usage of the facility. Mr. Smith also posed many questions regarding the amount of the offer, if it sells will the county be looking for a new facility later costing more money, etc.

Leif Kertis, 415 N. Grant Odessa TX – he is in favor of exploring the possibility of selling the coliseum. He stated that the preliminary talks indicate that the current programs would stay. Mr. Kertis asked the court to do what is best and explore the options.

Rene Earls, 41 Preston Oaks Odessa, TX – President/CEO of the Odessa Chamber of Commerce stated that she is not for or against but that anytime they are giving tours they go by the coliseum. She stated that she would hope that a community group would be put together because it is a bigger decision than the court. Her concern was that prices would increase on everything because the private company would be in it to make money; the County should do it as a community service.

John Herriage, Copper Key Realty Odessa, TX – Mr. Herriage stated that a realtor contacted him stating there was a company interested in purchasing the coliseum. He stated that all of the organizations would be taken care of by placing clauses in the contract that would protect the community. He stated that he did not believe the prices would be too high because then no one would attend their events.

Commissioner Simmons stated that this was not something that any of them had ever had to do and stated that they were a long way from a sale. He also stated that he thinks the court owes it to the taxpayers to look into the options.

Commissioner Gardner said that he would like to know what the real value of the property is but did not want to invest a lot of time in something that he doesn't think will happen. He also stated that would hate to take a chance of someone coming in and pushing prices up. Commissioner Gardner reiterated that he was not willing to put in effort, time and expense into something that he just does not believe will happen.

Commissioner Stringer posed the question of what if the proposed buyer decided to flip it and do away with the special clauses forever. Mr. McClendon stated that the clauses would pass to the new owner.

Commissioner Rodriguez asked Mr. Herriage if it would cost the taxpayers any money to explore the idea. Mr. Herriage said not at this time. Commissioner Rodriguez stated that it was good to have so much community input and to know how they feel. He stated that he hoped everyone could remain open minded.

Mr. Herriage also added that they could include a cap on the percent of price increases passed to the organizations in the contract.

Judge Hays stated that everyone agrees that the coliseum needs to be updated. They have added horse stall barns and purchases a new Zamboni for hockey. She stated that it takes money to make those improvements and in order to be sure the coliseum stands out the people need to evaluate the amount that rent has gone up.

A motion was made by Commissioner Simmons to approve a Proposed Real Estate Broker contract between Ector County and J L Herriage d/b/a Copper Key Realty for the potential sale of the Ector County Coliseum located at 4201 Andrews Hwy., Odessa, Texas 79762, in accordance with Section 263.008 and all other applicable provisions of Title 8 of the Texas Local Government Code and authorize the County Judge to sign; Commissioner Rodriguez seconded the motion. **MOTION PASSED. 3-2**

Voting for Motion:

✓ Judge Hays  
✓ Commissioner Simmons                      ✓ Commissioner Rodriguez

Voting Against Motion:

✓ Commissioner Gardner                      ✓ Commissioner Stringer

## PERSONNEL REQUESTS

11. To consider, discuss, and take any necessary action regarding a request to hire 2 ADA at a Step 5 and a Step 7.  
Dusty Gallivan – District Attorney

Commissioner Stringer made a motion to approve to hire 2 ADA at a Step 5 and a Step 7; a second was made by Commissioner Rodriguez. **MOTION PASSED. 5-0**

Voting for Motion:

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

## PUBLIC WORKS

12. To consider, discuss, and take any necessary action on vacating TTF Ranch Estates 3<sup>rd</sup> Filing 21.55 acres located in Section 26, Block 44, T-2-S, T&P RR Co. Survey, Ector County, Texas and approving TTF Ranch Estates, Corrected 2<sup>nd</sup> Filing 21.55 acres located in Section 26, Block 44, T-2-S, T&P RR Co. Survey, Ector County, Texas (Precinct 4) and authorize the County Judge to sign.  
Steve Davis – Public Works

A motion was made by Commissioner Simmons to approve vacating TTF Ranch Estates 3<sup>rd</sup> Filing 21.55 acres located in Section 26, Block 44, T-2-S, T&P RR Co. Survey, Ector County, Texas and approving TTF Ranch Estates, Corrected 2<sup>nd</sup> Filing 21.55 acres located in Section 26, Block 44, T-2-S, T&P RR Co. Survey, Ector County, Texas (Precinct 4) and authorize the County Judge to sign; Commissioner Rodriguez 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

## **CONSENT AGENDA**

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

13a. To consider, discuss, and approve a line item transfer to General Fund, Library, Educational Travel, 001-690-5161 from Periodicals/Microfilm 001-690-5200 for \$1,000.  
Randy Donner – County Auditor.

Commissioner Simmons made a motion to approve the proposed Consent Agenda; 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

## **BUDGET/FINANCIAL**

14. To consider, discuss, and approve a budget amendment to General Fund, Library, Departmental Furniture & Equipment, 001-690-5199 and to Donated Revenues, 001-4171 for \$8,000.  
Randy Donner – County Auditor

A motion was made by Commissioner Gardner to approve a budget amendment to General Fund, Library, Departmental Furniture & Equipment, 001-690-5199 and to Donated Revenues, 001-4171 for \$8,000; Commissioner Rodriguez 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

15. To consider, discuss, and approve a budget amendment to General Fund, Health Department, Motor Vehicle Repairs & Maintenance, 001-470-5251 from Unreserved Fund Balance, 001-3310 for \$4,500.  
Randy Donner – County Auditor

Commissioner Gardner made a motion to approve a budget amendment to General Fund, Health Department, Motor Vehicle Repairs & Maintenance, 001-470-5251 from Unreserved Fund Balance, 001-3310 for \$4,500; 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

16. To present the County Judge's Proposed 2022 – 2023 Budget for public inspection and review.  
Debi Hays – County Judge

A motion was made by Commissioner Simmons to accept the County Judge's Proposed 2022 – 2023 Budget for public inspection and review; Commissioner Rodriguez 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

17. To consider and approve the Accounts Payable Fund Requirements Report for July 26, 2022 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 July 26, 2022 to review County financial statements and reports; 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

A motion was made by Commissioner Stringer to adjourn into Executive Session with a second 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

Commissioner Stringer made a motion to reconvene with a second 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

## **EXECUTIVE SESSION**

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

A motion was made by Commissioner Simmons to authorize Human Resources to obtain outside legal counsel if necessary in reference to the item discussed in Executive Session; Commissioner Stringer 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

19. 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

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

NO ACTION WAS TAKEN ON THIS ITEM

21. To consider and discuss personnel matters (Environmental Enforcement) pursuant to Title 5, Chapter 551, Section 551.074, Texas Government Code.  
Armando S. Rodríguez – Commissioner Pct. 4

NO ACTION WAS TAKEN ON THIS ITEM

**11:48 A.M.**

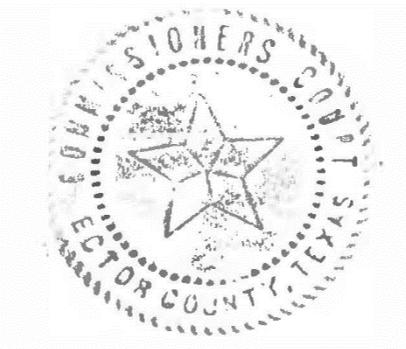
With no further business to discuss, Commissioner Gardner made a motion with a second by Commissioner Stringer to adjourn to the call of the chair. **MOTION PASSED. 5-0**

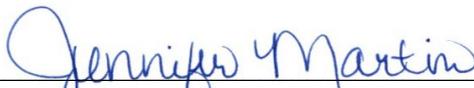
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THE STATE OF TEXAS

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 July 26, 2022.



  
JENNIFER MARTIN, COUNTY CLERK  
ECTOR COUNTY, TEXAS