

On this the 9th day of November, 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 10:02 A. M. with a quorum of the court present. The invocation was led by Commissioner Stringer. 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 appoint an Ector County Representative to the Ector County Appraisal District Board beginning January 1, 2022.
Debi Hays – County Judge

Judge Hays made a motion to appoint Commissioner Simmons as Ector County Representative to the Ector County Appraisal District Board beginning January 1, 2022; a second was made by Commissioner Stringer.

MOTION PASSED. 5-0

Voting for Motion:

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

2. To consider, discuss, and take any necessary action to approve a donation of \$49,038 to Odessa Arts and authorize the County Judge to sign all documents associated with this agenda item.
Commissioners Court

A motion was made by Commissioner Stringer to approve a donation of \$49,038 to Odessa Arts and authorize the County Judge to sign all documents associated with this agenda item; Commissioner Simmons seconded the motion. **MOTION PASSED. 3-2**

Voting for Motion:

✓ Judge Hays
✓ Commissioner Simmons
✓ Commissioner Stringer

Voting Against Motion:

✓ Commissioner Gardner
✓ Commissioner Rodriguez

3. To consider, discuss, and take any necessary action to accept by-laws and to appoint additional members to the Ector County Library Advisory Board: Feliz Abalos, Kellie Wilkes, and Tehisha Muhammad and authorize the County Judge to sign all documents associated with this agenda item.
Commissioners Court

Commissioner Simmons made a motion to accept by-laws and to appoint additional members to the Ector County Library Advisory Board: Feliz Abalos, Kellie Wilkes, and Tenisha Muhammad and authorize the County Judge to sign all documents associated with this agenda item; 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 regarding the creation of an adult sexual assault response team and to appoint the following members: a Chief Administrator, Prosecutor, representative from the Police Department and Sheriff's Department, Sexual Assault Nurse Examiner or Forensic Examiner, behavioral health services provider and a presiding officer as recommended by the team.
Dusty Gallivan – District Attorney

Melissa Rayne and Gregory Barber addressed the court regarding the need and new statutory requirements for an Adult Sexual Assault Response Team.

A motion was made by Commissioner Simmons to approve the creation of an Adult Sexual Assault Response Team and to appoint the following members:

- (1) Lorie Dunnam – Executive Director at Crisis Center of West Texas
- (2) Melissa Rayne – Senior Assistant District Attorney at Ector County District Attorney's Office
- (3) Brad Cline – Sergeant over Persons Division at Odessa Police Department
- (4) Jodi Alvarado – Investigator at Ector County Sheriff's Office
- (5) Lisa Montoya – SANE Coordinator at Medical Center Hospital
- (6) Xylia Hidalgo – Licensed Professional Counselor at Crisis Center of West Texas
- (7) David Graham – Divisional Director of Emergency, Trauma and SANE Services at Medical Center Hospital

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 regarding a proposed installation of ice shields on the Notrees and Penwell Tower sites by RTC, Inc.
Stephen White – Sheriff's Office

Commissioner Gardner made a motion to approve the proposed installation of ice shields on the Notrees and Penwell Tower sites by RTC, Inc.; 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

6. To consider, discuss, and take any necessary action regarding repairs to antenna lines at the Jail and the Penwell tower sites.
Stephen White – Sheriff’s Office

A motion was made by Commissioner Gardner to approve repairs to antenna lines at the Jail and the Penwell tower sites; Commissioner Simmons 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 necessary action to purchase a Foreign Object Debris “FOD Boss” Sweeper for the Ector County Schlemeyer Airport and authorize the County Judge to sign all documents associated with this agenda item.
Airport Advisory Board – Airport/Public Works

Commissioner Stringer made a motion to purchase a Foreign Object Debris “FOD Boss” Sweeper for the Ector County Schlemeyer Airport and authorize the County Judge to sign all documents associated with this agenda item; 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 Transfer of Title – Unit #926 Highways & Streets Vehicle – 2011 Chevrolet 2500 HD pickup truck – VIN #1GC3CVBG3AF132339 – Travelers Property Casualty Company and to dispose of vehicle per Section 263.151 and remove from County Inventory and authorize the County Judge to sign all documents associated with this agenda item.
Samuel Brijalba – Human Resources

A motion was made by Commissioner Simmons to approve Transfer of Title – Unit #926 Highways & Streets Vehicle – 2011 Chevrolet 2500 HD pickup truck – VIN #1GC3CVBG3AF132339 – Travelers Property Casualty Company and to dispose of vehicle per Section 263.151 and remove from County Inventory and authorize the County Judge to sign all documents associated with this agenda item; 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

9. To consider, discuss, and take any necessary action to approve a contract with LCA on Geotechnical Investigation Proposal for the new Juvenile Facility and authorize the County Judge to sign all documents associated with this agenda item.
Charles Pierce – Building Maintenance

Commissioner Simmons made a motion to approve a contract with LCA on Geotechnical Investigation Proposal for the new Juvenile Facility and authorize the County Judge to sign all documents associated with this agenda item; 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

10. To consider, discuss, and take any necessary action to approve pay application #13 of the Johnson Controls Inc. Contract.
Charles Pierce – Building Maintenance

A motion was made by Commissioner Simmons to approve pay application #13 of the Johnson Controls Inc. Contract; 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

11. To consider, discuss, and take any necessary action to approve a change order #3 of the Johnson Controls Inc. Energy Savings program and authorize the County Judge to sign.
Charles Pierce – Building Maintenance

Commissioner Simmons made a motion to approve a change order #3 of the Johnson Controls Inc. Energy Savings program 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

12. To consider, discuss, and take any necessary action requesting change order #1 and #2 for Moss Mill & Overlay PO#37848 and authorize the County Judge to sign all documents associated with this agenda item.
Lucy Soto – Purchasing
Martin Leyva – Public Works

A motion was made by Commissioner Stringer to approve change order #1 and #2 for Moss Mill & Overlay PO#37848 and authorize the County Judge to sign all documents associated with this agenda item;

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

13. To consider, discuss, and take any necessary action regarding change order #2 for Cottonwood Road Improvements PO#37850 and authorize the County Judge to sign all documents associated with this agenda item.
Lucy Soto – Purchasing
Martin Leyva – Public Works

Commissioner Simmons made a motion to approve change order #2 for Cottonwood Road Improvements PO#37850 and authorize the County Judge to sign all documents associated with this agenda item; 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

14. To consider, discuss, and take any necessary action to approve an Assignment and Assumption of Ground Lease Agreement entered by Israel Bernal to Premier Car Care Real Estate, LLC between Ector County (Odessa Schlemeyer Airport) beginning September 23, 2021 and authorize the County Judge to sign.
Debi Hays – County Judge

A motion was made by Commissioner Stringer to approve an Assignment and Assumption of Ground Lease Agreement entered by Israel Bernal to Premier Car Care Real Estate, LLC between Ector County (Odessa Schlemeyer Airport) beginning September 23, 2021 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

15. To consider, discuss, and take any necessary action on an Interlocal Participation Agreement between The Texas Public Entity Group Plus (TPEG+) and Ector County that shall commence on the effective date for a period of one (1) year and automatically renewed for an additional one (1) year and authorize the County Judge to sign all documents associated with this agenda item.
Sam Brijalba – Human Resources

Commissioner Gardner made a motion to approve an Interlocal Participation Agreement between The Texas Public Entity Group Plus (TPEG+) and Ector County that shall commence on the effective date for a period of one (1) year and automatically renewed for an additional one (1) year and authorize the County Judge to sign all documents associated with this agenda item; 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 consider, discuss, and take any necessary action regarding the lease of a mobile clinic for the Health Department and authorize the County Judge to sign all documents associated with this agenda item.
Lucy Soto – Purchasing
Brandy Garcia – Health Department

A motion was made by Commissioner Gardner to approve the lease of a mobile clinic for the Health Department and authorize the County Judge to sign all documents associated with this agenda item; 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, discuss, and take any necessary action regarding an Economic Development Program Agreement between Ector County and 1PointFive P1, LLC, a Delaware limited liability company and authorize the County Judge to sign all documents associated with this agenda item.
Debi Hays – County Judge

Commissioner Simmons made a motion to table the item until after Executive Session; 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 Simmons to keep the item tabled until a future meeting; 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

PUBLIC WORKS

18. To consider, discuss, and take any necessary action on Twisted Wood Addition being a Plat of a 3.00 acre tract out of Section 7, Block 41, T-1-S, T&P RWY. Co. Survey, Ector County, Texas (Precinct 2) and authorize the County Judge to sign.
Martin Leyva – Public Works

Commissioner Simmons made a motion to approve Twisted Wood Addition being a Plat of a 3.00 acre tract out of Section 7, Block 41, T-1-S, T&P RWY. Co. Survey, Ector County, Texas (Precinct 2) and authorize the County Judge to sign; a second was made by Commissioner Stringer. **MOTION PASSED. 4-1**

Voting for Motion:

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

Voting Against Motion:

✓ Commissioner Gardner

19. To consider, discuss, and take any necessary action on a proposed MHRC for Twisted Wood RV Park to serve a 3.00 acre lot in Section 7, Block 41. T-1-S, T&P RWY Co. Survey, Gardendale, Texas (Precinct 2) and authorize the County Judge to sign.
Martin Leyva – Public Works

A motion was made by Commissioner Stringer to approve MHRC for Twisted Wood RV Park to serve a 3.00 acre lot in Section 7, Block 41. T-1-S, T&P RWY Co. Survey, Gardendale, Texas (Precinct 2) and authorize the County Judge to sign; Commissioner Simmons seconded the motion. **MOTION PASSED. 4-1**

Voting for Motion:

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

Voting Against Motion:

✓ Commissioner Gardner

A motion was made by Commissioner Simmons to approve a FY 2022 budget amendment to Sales Tax Fund, Contract Services, 005-360-5309 from Unreserved Fund Balance, 005-3310 for \$301,415; 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

24. To consider, discuss, and approve a FY 2022 budget amendment to District Clerk Records Management Fund, Contract Services, 022-110-5309 from Unreserved Fund Balance, 022-3310 for \$40,000, and to District Clerk Archive Fund, Contract Services, 024-110-5309 from Unreserved Fund Balance, 024-3310 for \$40,000.
Randy Donner – County Auditor

Commissioner Gardner made a motion to approve a FY 2022 budget amendment to District Clerk Records Management Fund, Contract Services, 022-110-5309 from Unreserved Fund Balance, 022-3310 for \$40,000, and to District Clerk Archive Fund, Contract Services, 024-110-5309 from Unreserved Fund Balance, 024-3310 for \$40,000; 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

25. To consider, discuss, and approve a FY 2022 budget amendment to General Fund, Environmental, Law Enforcement Supplies, 001-471-5183 and to OOG Grant, 001-4031, for \$10,000.
Randy Donner – County Auditor

A motion was made by Commissioner Gardner to approve a FY 2022 budget amendment to General Fund, Environmental, Law Enforcement Supplies, 001-471-5183 and to OOG Grant, 001-4031, for \$10,000; Commissioner Simmons 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

26. To consider, discuss, and approve a FY 2022 budget amendment to Sales Tax Fund, Road Department, Equipment Rental, 005-810-5391 from Unreserved Fund Balance, 005-3310 for \$75,000.
Randy Donner – County Auditor

Commissioner Gardner made a motion to approve a FY 2022 budget amendment to Sales Tax Fund, Road Department, Equipment Rental, 005-810-5391 from Unreserved Fund Balance, 005-3310 for \$75,000; 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

27. To consider, discuss, and approve a FY 2022 budget amendment to General Fund, Library, Library Supplies, 001-690-5185 and to Donated Revenues, 001-4171 for \$15,000.
Randy Donner – County Auditor

A motion was made by Commissioner Stringer to approve a FY 2022 budget amendment to General Fund, Library, Library Supplies, 001-690-5185 and to Donated Revenues, 001-4171 for \$15,000; Commissioner Simmons 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

28. To consider, discuss, and take any necessary action to approve a budget amendment to 001-710-5505 Motor Vehicle Equipment from 001-3310 Unreserved Fund Balance for \$11,774 for the purchase of a utility bed and authorize the County Judge to sign.
Charles Pierce – Building Maintenance

Commissioner Simmons made a motion to approve a budget amendment to 001-710-5505 Motor Vehicle Equipment from 001-3310 Unreserved Fund Balance for \$11,774 for the purchase of a utility bed and authorize the County Judge to sign; 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

29. To consider, discuss, and take any necessary action to approve a budget amendment to 001-710-5510 Major Building Projects from 001-3310 Unreserved Fund Balance for \$6,000 to purchase shelving units from current owner and authorize the County Judge to sign.
Charles Pierce – Building Maintenance

A motion was made by Commissioner Simmons to approve a budget amendment to 001-710-5510 Major Building Projects from 001-3310 Unreserved Fund Balance for \$6,000 to purchase shelving units from current owner 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

30. To consider and approve the Accounts Payable Fund Requirements Report for November 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 November 9, 2021 to review County financial statements and reports; 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

A motion to adjourn into Executive Session was made by Commissioner Stringer; 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

Commissioner Gardner made a motion to reconvene with a second 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 |

EXECUTIVE SESSION

31. 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

32. 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

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

A motion was made by Commissioner Simmons to direct the Human Resources Department to proceed as discussed; 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 |

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

NO ACTION WAS TAKEN ON THIS ITEM

35. To consider and discuss personnel matters, including the review, consideration, and discussion of applications for vacancies throughout the County and the filling of said vacancies, pursuant to Title 5, Chapter 551, Section 551.074, Texas Government Code.
Debi Hays – County Judge

NO ACTION WAS TAKEN ON THIS ITEM

1:40 P.M.

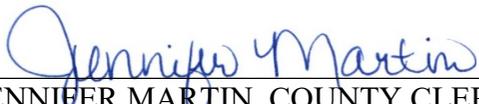
With no further business to discuss, Commissioner Gardner made a motion with a second by Commissioner Rodriguez to adjourn to the call of the chair. **MOTION PASSED. 5-0**

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 November 9, 2021.




JENNIFER MARTIN, COUNTY CLERK
ECTOR COUNTY, TEXAS